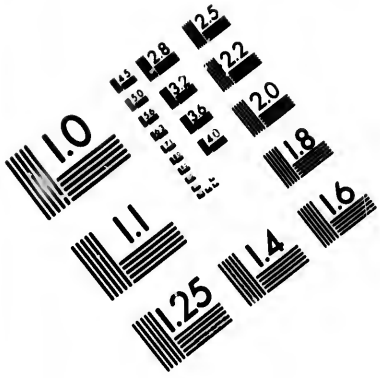

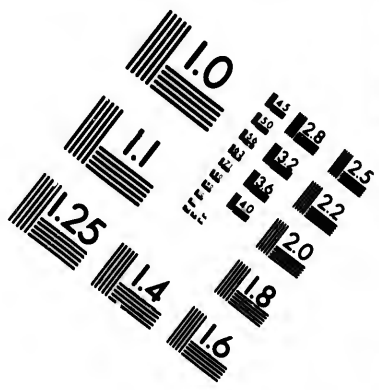

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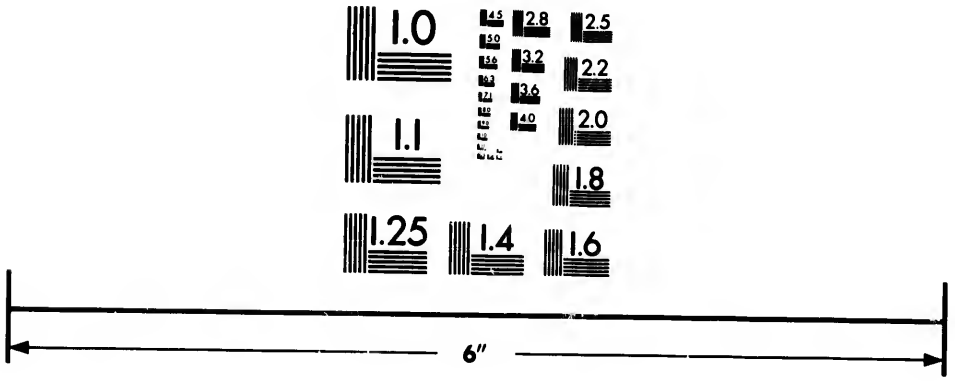

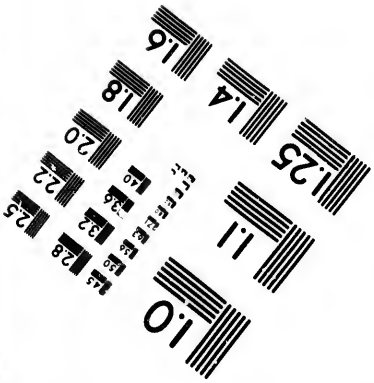

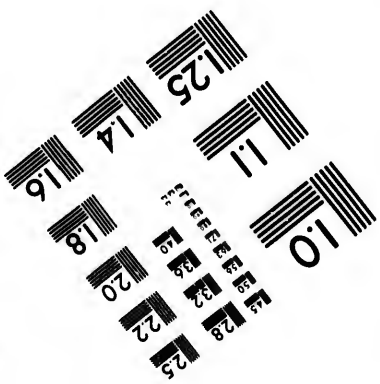

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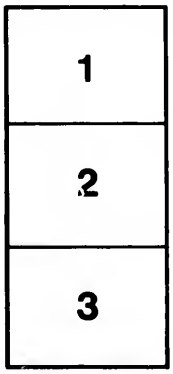

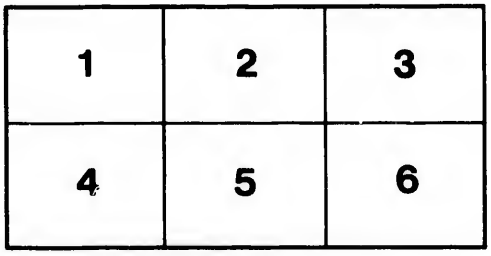

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MEMORIAL

OF

ARCHBISHOP TACHE

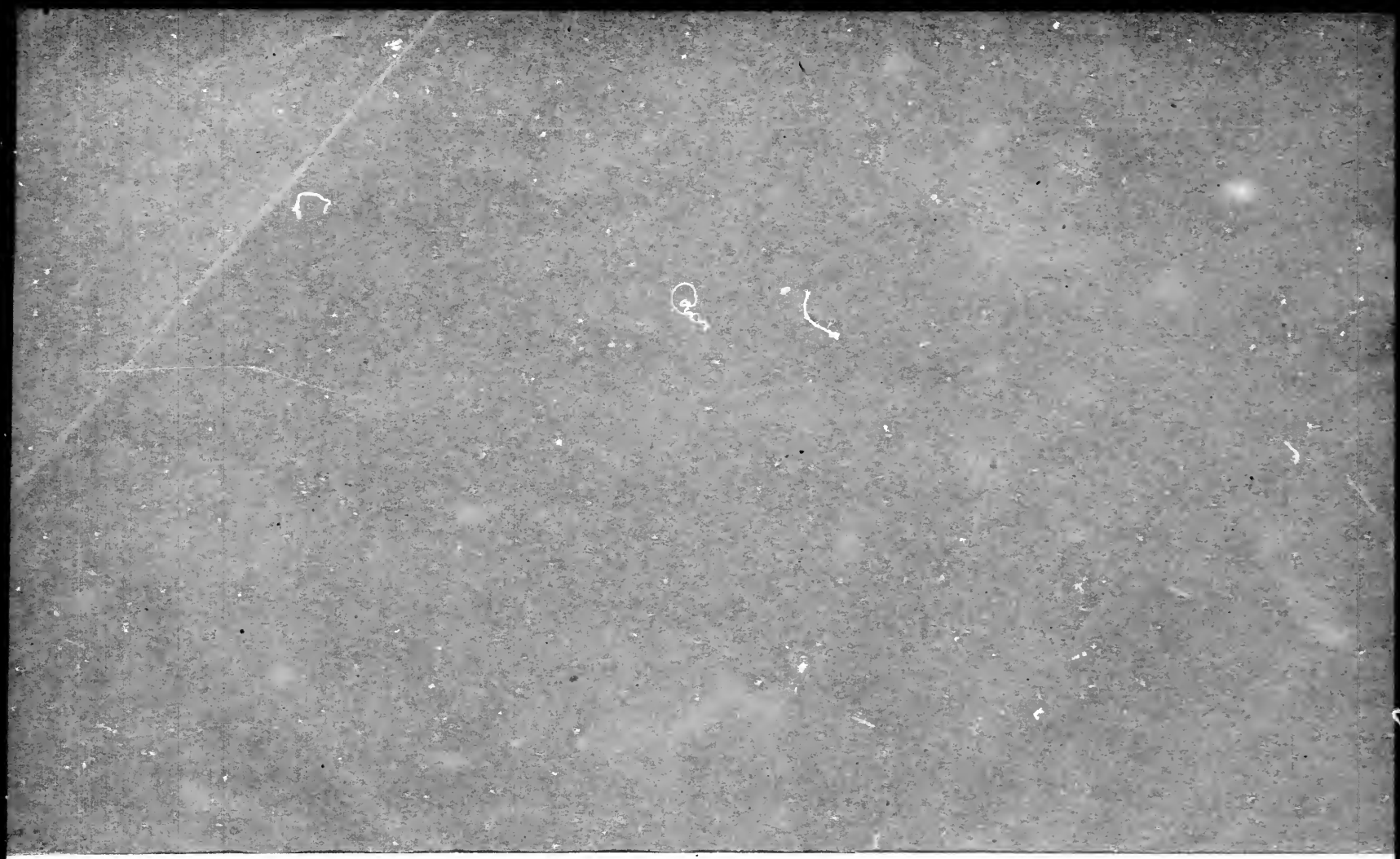
ON

THE SCHOOL QUESTION

In answer to a Report of the Committee of the Honorable the Privy Council of Canada.

MONTREAL
C. O. BEAUCHEMIN & SON, Printers and Publishers.
256 and 258 St-Paul Street.

1894



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MEMORANDUM

OF

ARCHBISHOP TACHE

IN ANSWER TO A REPORT OF THE COMMITTEE OF THE HONORABLE THE PRIVY COUNCIL OF CANADA.

To His Excellency

The Governor General in Council,

May it please Your Excellency,

The Right Honorable the Minister of Justice has transmitted to me the Report of the Committee of the Honorable the Privy Council, approved by his Excellency on the 5th February, 1894. This document concerning the Catholic Schools of the North-West Territories, has been called forth by certain petitions, addressed to the Governor General in Council, in favor of the Catholic Minority of the Territories, urging the disallowance of the Ordinance No 22, passed in 1892 by the Legislative Assembly of the Territories.

Your Excellency is well aware of my position and of the duties it imposes upon me and I feel satisfied that I cannot be offensive in taking the respecful liberty to state that I take exception to some of the statements and conclusions, which, in the said Report I consider as erroneous and unjust.

In order to show my observations with more clearness I will divide them into two parts.

In the First Part I will consider the allegations of the Report and its conclusions.

In the Second Part I will state why and how much I regret that the Privy Council has accepted the Report of the Committee and passed an order in Council signed by Your Excellency.

FIRST PART

In this part I will review how far the School Ordinance of 1892, considered in its general aspect, has changed the position of the Catholics in the matter. Secondly, I will show how far the rights of the Catholics are overlooked in some of the points examined by the Committee, in its Report.

GENERAL ASPECT OF THE ORDINANCE.—The Minority of the North-West have petitioned for the disallowance of the Ordinance of 1892, because it deprives them of most of the rights they enjoyed by the Ordinance of 1888 and because as they say: "The said "Ordinance in as much as it places in the hands of non-Catholics "the absolute control and management of Catholic Separate Schools "to such an extent that such persons are enabled, as they have "actually done, to obliterate almost wholly the distinction between "Catholic and other Schools."

To this complaint, made in such a general way, the Committee answer: — "It would appear from the facts that the disallowance "of the Ordinance in question will not meet the complaints alleged "in the petitions, otherwise than by restoring the Board of Educa- "tion which had control of the Schools of the Territories before the "Ordinance of 1893 was passed, because in other respects, the law "and regulations concerning Education in the Territories were not "materially different before the Ordinance of 1892 was passed from "what they now are, in so far as the points mentioned in the petition "are concerned. Disallowance would not nullify any of the regu- "lations complained of."

This assertion of the Committee is perhaps construed cleverly enough to catch the assent of those unaware of the change which has taken place, but the same assertion, in spite of its restriction does not stand before the real comprehension of the facts and their consequences. To avoid entering into a long discussion, the case may be made clear by a simple comparison between the rights enjoyed by Catholics of the Territories until 1892 and what is now left to them.

The Ordinance of 1888 granted to the Catholics, as such, the following rights:	The Ordinance of 1892 gives as follows, to Catholics:
1.—The Lieutenant-Governor in Council may appoint and	1.—The members of the Executive Committee and two

constitute a Board of Education composed of eight members, and three shall be Roman Catholics (4). The three Catholic members had right of vote.	Protestants and two Roman Catholics shall constitute a Council of Public Instruction ? The appointed members shall have no vote. (5).
2.—Any question on which there is an equality of votes shall be denied to be negatived. (9) So that the 3 Catholics with the help of one single Protestant could negative all hostile regulations. It shall be the duty of the Board (3 Catholics out of 8): (Section 10.)	2.—No vote against hostile regulations.
3.—To determin all appeals from the decisions of Inspectors of schools and to make such orders thereon as may be required.	3.—Nothing.
4.—To provide fc an uniform system of inspection of all schools and to make such regulations as may be deemed necessary with respect to the duties of the Inspectors.	4.—No power.
5.—To arrange for the proper examination, grading and licensing of teachers and the granting of certificates. The 3 Catholics had right of vote.	5.—No vote nor action.
6.—To make regulations for the general government and discipline.	6.—Nothing.
7.—To appoint Inspectors.	7.—No power.
8.—To select and prescribe text books.	8.—No power.
9.—To cancel the certificate of a teacher, (for schools as are not designated Protestant or Roman Catholic.)	9.—No power.

10.—The Board of Education shall resolve itself into two sections, the one consisting of the Protestant and the other of the Roman Catholic members thereof. (II) It shall be the duty of each section (Catholic as well as Protestant and exclusively.)	10.—No section.
11.—To have under its control and management the schools of its section.	11.—No control nor management.
12.—To make such regulations as may be deemed necessary for their general government and discipline.	12.—No such power.
13.—To select and prescribe a uniform series of text books.	13.— No action thereupon.
14.—To appoint Inspectors who shall hold office during the pleasure of the section appointing them.	14.—No such power.
15.—To cancel the certificate of a teacher.	15.—No such power.
16.—There shall be a general board of examiners, for teachers' certificates, one half of which board of examiners shall be nominated by each section of the Board of Education. (2)	16.—No such nomination.
17.—Each section of the board shall have the selection of text books for the examination of teachers in history and science. (13)	17.—No power to select.
18.—It shall have power to prescribe any additional subject of examination for the teachers of schools of its section (Religious Instruction for instance.)	18.—No power.

19.—And in all examinations on such subjects the examiners of each section shall respectively have exclusive jurisdiction.	19.—No jurisdiction even conjointly.
20.—All schools sh ll be taught and instruction given in the following branches viz: Reading & (82). In French districts all the branches could be taught in French.	20.—All schools shall be taught in the English language and instruction will be given in the following branches, viz: Reading &.
21.—It shall be incumbent upon the trustees of all schools to cause a primary course of English to be taught.	21.—It shall be permissible for the trustees of any school, to cause a primary course to be taught in the French language.
22.—Any schools conducted in violation of the provisions of this Ordinance or of the *regulations* of the *Board of Education* or *section* thereof shall forfeit all right to participate in any of the grants. (83).	22.—Any school conducted in violation of the provisions of the Ordinance or of the *regulations* or of the *Council of Public Instruction* or of the SUPERINTENDENT shall be liable to forfeit all rights to participate in any of the grants. (84).
23.—Religious Instruction was permitted in separate schools at any time during school hours though forbidden in Public schools before 3 o'clock (84).	23.—No religious instruction shall be permitted in any schools until one half hour previous to the closing of such schools (85).
24.—Schools may be opened each morning with prayer (85.)	24.—No opening prayer.
25.—At the desire of the trustees of any school district the Inspector (Catholic or Protestant, may examine a teacher possessing no certificate and employed or proposed to be employed by such trustees. (89).	25.—No such privilege.

26.—The Inspectors have to observe that no books are used in any school but those selected from the list of books authorized by the Board of Education or section thereof.	26.—No more rights for Catholics as to selection of books.
27.—The *Catholic Inspector* may grant provisional certificates to competent applicants recommended by the *trustees* of *Schools.*	27.—Upon the recommendation of an *Inspector, the superintendent* may grant provisional certificates of qualification.
28.—Under clauses 177 and 178 union schools could be established in Catholic Institutions and have their high school branch as Catholics.	28.—Where union schools are established, the high school department of such schools shall be non-sectarian (184). That is to say non Catholic.
29.—The Board of Education may authorize the establishment of a Normal Department, and the trustees of any such school shall thereupon establish such Normal Department (Catholic as well as Protestant).	29.—High School departments of union Schools being *non-sectarian,* the Normal Department must be such and the Catholics, as such, have no right therein.

It is evident, from the above comparison that the Ordinance complained of and the regulations that are or may be framed in virtue thereof, alter most materially the conditions of the Catholics of the North-West with regard to their schools; consequently, it is not exact to say that "The disallowance of the ordinance in ques-" tion will not meet the complaints alleged in the petitions." On the contrary, it would meet fully such complaints, the complaint being expressed as follows: "The said Ordinance and the said regu-" lations prejudicially affect the rights and privileges of your peti-" tioners and of all others of Her Majesty's Catholic subjects in the " Territories in relation to education."

The report of the Honorable Committee says: "Disallowance " will not nullify any of the regulations complained of." On the contrary, disallowance would restore the right of modifying all such regulations and in fact abolish all regulations as well as dispositions uncongenial to the Ordinance of 1888. For instance, it would abolish the office of Superintendant and the power vested in its incumbent: "to make and establish rules and regulations for the conduct " of schools and to institute and to prescribe the duties of teachers " and their classification." (Clause 7-b)

The petitioners do not object to the nomination of a Superintendant, but they strongly object to his appointment when, by the Ordinance, he is entirely and absolutely free from any control on the part of Catholics, who have no means to protect themselves against such an official, should he be badly disposed. The Catholics, as such, have no control over their schools and the law complained of abandons them to a large extent to the good will of the Superintendent. He may be the best of men and a very sincere worker for the success of Catholic as well as of other schools. On the other hand the superintendent, in whose choice the Catholics have no voice, may be the worst enemy of our institutions and work, cautiously perhaps, but surely, their destruction.

The petitioners had this and other dangers in view, when they said : "The effect of the Ordinance is to deprive the Catholic Sepa- "rate Schools of that character which differentiates them from "Public or Protestant Schools and to leave them Catholic Separate "Schools in name only, and such, it is submitted, is its obviously "necessary effect."

The petitioners did not enter into all the details of the case, (that would have filled a large volume) because they knew that the Ordinance complained of, as well as the one which would have been restored by disallowance, were both before the Honorable the Privy Council and they relied upon the intelligence and good will of His Excellency's distinguished advisers to supplement what they willfully omitted, on that account.

2. THE RIGHTS OF THE CATHOLICS ARE OVERLOOKED IN SOME OF THE POINTS EXAMINED BY THE COMMITTEE. — The review of the disposition of the Ordinance of 1892, taken in its general aspect, is sufficient to show how much that law prejudicially affects the interests of Catholics and what reasons they have to ask for its disallowance.

I could perhaps, and surely I would like to, put an end to my observations, but the Report of the Honorable Committee and its conclusions force upon me the following up of each of the points, which the Committee have submitted to the Honorable the Privy Council.

(*a*) INSPECTION. — After incomplete quotations with regard to inspection of schools, the Report disposes of the important question by the following observations : "Upon a comparison of the duties "prescribed for Inspectors of Schools in the Ordinance of 1883 and that of 1892, as amended, it will be seen that they are practically the same."

I deeply regret to have to say that this observation is

misleading and cannot but convey a faint and unfair idea of the right of which the Catholics are deprived with regard to the inspection of their schools. A few remarks will prove my assertion.

The Board of Education had five Protestants and three Catholic members. All the members had the same rights, the three Catholics as well as their five Protestants colleagues, in all questions of general interest. For instance: "in determining all appeal from the decisions of Inspectors. In providing for a uniform system of inspection of all schools and in making regulations with respect to the duties of inspectors." The law did not only give to the Catholics a voice in the framing of the regulations of general interest but divided the general Board of Education into two differents sections, each of these having perfect equal rights. Therefore, the Catholic section 'had under its control and management the Catholic Schools." To that section alone belonged the right: "to appoint inspectors who hold office during the pleasure of the section." This office of Catholic Inspector was as separate from the office of Protestant inspector, as the Catholic Schools were separate from other schools; the Inspector had to examine Catholic Schools as such in all that distinguished them from other schools. The Catholic Section had the selection of the books used in its schools, it had the selection of the language which would form the main part of the teaching; the same section had the right to enforce religious instruction; it had the right to secure by examination, conducted by Catholics alone, the fitness of the Catholic teachers with regard to religious instruction and to any additional subject prescribed by the section.

The inspection of Catholic Schools was ruled according to the lines above mentioned. All these privileges of the Catholics, all the obligations of Inspectors with regard to the same, are now *annuled*. No Catholic character is left to the inspection; the Inspectors may now conduct it not only without Catholic ideas, but even in a spirit entirely opposed and the Catholics have no voice in the council to bring forth any redress.

"Upon a (full) comparison of the duties prescribed for Inspec-"tors of Schools in the Ordinance of 1888 and that of 1893," I cannot in any way agree with the Hon. Committee when they say that said duties "are practically the same."

I am bound to confess that I feel very little comfort in the fact mentioned by Honorable Mr. Haultain that: "Out of 4 inspectors we have one who is Catholic."

The fact, it is true, proves that the Council of Public Instructions in the N. W. does not require that School Inspectors should be hostile to Catholics; but, beyond that the appointment of a Catholic inspector proves absolutely nothing.

To me the fact itself is a plain demonstration that the office of inspector is no more what it was, even if exercised by the same man. To perform his actual duties as Inspector, Father Gillies, though a Catholic priest, must conduct his inspection, now that he is appointed under the Ordinance of 1892, in a very different way from what his official duties would impose upon him, should he be appointed by the Catholic section of the Board of Education, ... under the Ordinance of 1888. The two offices are most decidedly different, both technically and "practically."

My views on the subject are corroborated in paragraph No 1 of the letter, which the Rev. Father Leduc addressed to me, on the 17th Feb. and which is attached to this memorandum as Appendix A.

(*b*) BOARD OF EDUCATION.—The Report of the Hon: Committee admits that the provisions of the two Ordinances, "differ materially" on this point. The Ordinance of 1886 vested rights on the general Board of Education and privileges on its two sections, the Catholic as well as the Protestant; while the Ordinance of 1892 practically deprives the Catholics of all the rights they enjoyed in the general Board of Education and of all the privileges conferred on their section.

Here lies the whole Separate School question.

Any accumulation of the most plausible arguments and the most clever plea, against the old system, or in favor of the new, are mere waste of time and fall short, if one does not loose sight of the radical changes, operated by the suppression of the general Board of Education and of its sections. There, were the guarantees offered to Catholic as well as to protestant schools, while the practical consequence of the Ordinance of 1892 does away with such guarantees.

It may be compared to a severe partial stroke of paralysis, it does not completely take the life from the body but it deprives it of all independant action or motion and of all means of helping itself.

(*c*) EXAMINERS.—The Report of the Committee says: "Although "the formation of the Board of examiners is different under the "the present law the Committee of the Privy Council are unable to "ascertain that the Board of Public Instruction has in any way "altered or restricted the mode and manner of examining teachers."

I am forced to say that such an assertion cannot convey a fair and exact idea of the condition imposed upon Catholic Schools, by the Ordinance of 1892; the unfairness is due to the non consideration of the privileges conferred by the Act of 1888.

I admit that, under the Ordinance of 1888, the Board of Education had alone authority to arrange for the proper examination,

grading and licensing of teachers;" but I decidedly object to the introduction in that statement of the words:" irrespective of either section," and this for the simple reason that the two sections constituted the general Board. Should any member of one of the sections, in his personal capacity, propose any regulation antagonistic to the views of the members of the other section, surely the latter in their individual capacity would have opposed the motion.

Suppose, for instance, that a Catholic member of the Board would have proposed something offensive to the views of non Catholic, it is certain that the Protestant members would have opposed the same, perhaps not as a Section, but as members of the general Board, representing Protestant interests therein; the same may be said also of a Protestant proposing something adverse to Catholic ideas.

The working of the General Board required good understanding and mutual concessions among its members," irrecpective of either section," if you like, but safeguarding to a great extent the views of each section.

Now the Catholics have no vote in the Council of Public Instruction; consequently they have no chance of making their views accepted or even of opposing any attempt to force them into the greatest difficulties. I regret exceedingly that "the Committee of the Privy Council are unable to ascertain that the new law has in any way altered or restricted the mode and manner of examining Teachers."

The following remarks may perhaps show more plainly the alterations and restrictions of the new law.

Under the old Ordinance, it was enacted as follows: "one half of the Board of examiners shall be nominated by each section of the Board of Education. The Catholic section had therefore the right of nominating one half of the examiners.

The law said also: "Each section of the Board shall have the "selection of text books for the examination of teachers in history "and science." Evidently the examination in history and science were not conducted "irrespective of either Section."

Moreover, it was decreed, in the old law, that: "Each section "shall have power to prescribe any additionnal subjects of "examination for the teachers of schools of its section." This enactment, decidedly enabled each section to bring in religious instruction, as a part of the examination.

The law added: "In all examinations on such subjects, the "examiners of each section shall respectively have exclusive "jurisdiction."

The Catholics of the N. W. T. are deprived of the four last mentionned privileges, exercised through their section of the Board

as they have lost the advantage of being heard in the general Board itself in matters relating to the examination, and it will be a long time before they can feel assured that the actual law *has not* "in any way altered or restricted the mode and manners of "examining teachers."

(d) NORMAL SCHOOLS.—The Ordinance of 1838 and that of 1892 are explicite enough to show difference which characterizes the two laws with regard to Normal schools. The Ordinance of 1888 does not repudiate Catholic Normal institutions. In its clauses 177 to 179 it provides for "high school branches" attached to what they call "Union Schools" and then; "the Board of "Education may authorize the establishment of a Normal department "in any such schools," Catholic or Protestant as the Union School may be. The Ordinance of 1892, clauses 184 and 185, provides for similar arrangements with the two following different propositions: (*a*) "Provided that the certificates held by the teachers of the High Schools branch are approved by the *Superintendant of Education.*" *(d)* provided that, where Union Schools are established the High School department of such schools *shall be non-sectarian.*"

The meaning of the last words is fully explained by practice in this country. The distinction between the enactments of the two laws, with regard to Normal Schools, has escaped the notice of the Honorable Committee. It should have been taken into consideration, when the report says: "It appears to the Committee that prior to "the Ordinance of 1892, Normal schools had been sanctioned by "the Board of Education without objection and that an uniform "training of teachers had been adopted by and with the approval of "both sections of the Board."

The Committee would not have been led to such an error, if Mr. Haultain had thought of laying before them the regulations adopted by the Board of Education on the 14th March, 1889 and the 10th September 1890.

The Instructions of the 14th March, 1889 are for inspectors and principals of Union schools. It is said, on page 5 (*e*). The following shall be the course of the studies in the High Schools branch of Normal Schools:

(*a*) For *Protestant Schools.*

"Reading; Sixth Reader with recitations, &, &.

"(*b*) For *Roman Catholic Schools*:

"Review of Intermediate Course, &, &."

Then, about Normal sessions, we read:

"I. Every Union School (*Catholic* as well as *Protestant*) shall have, if required by the Board of Education a Normal School Department."

Now, we read in the "Amendments to the Regulations of the

Board of Education and of the Sections thereof," the following rules adopted, the 10th September, 1890:

Page 3.— "The following books are prescribed for the use of candidates for third class certificates; by the *Protestant* Section: Ontario Public School English Grammar, &c, &c; by the *Roman Catholic* Section; as published and amended by adding; &c., &c.

" 45. The subjects of Examination for Second Class certificates shall be such and such, for schools under the control of the *Protestant* section; or such and such, for the Schools under the control of the *Roman Catholic* section."

Page 4.— "The following books are prescribed for the use of candidates for Second Class certificates:

"By the *Protestant* section: Stupford books, English Literature, &c., &c.

"By the *Roman Catholic* section: as published and amended by adding: &c, &c."

Section 46 is amended by substituting the following: "For the list of books prescribed for the use of candidates for first class certificates by the Protestant section, &c., &c."

No amendment for first class certificates by the *Roman Catholic* section.

Page 7.—"The head teaching of every High School branch of a Union school (*Catholic* as well as *Protestant*) shall be styled Principal of such school."

Page 7.—"(1) The regular entrance for pupils for the High School branch shall be in writing.

"(3) The papers shall be prepared and the results declared by the Board of Examiners." (half *Catholic*.)

Page 9.— (6) "The following shall be the course of studies in the High School branch of Union Schools:

"For *Protestant* Schools, standard V, as amended in programme of Studies, &, &.

"For *Roman Catholic Schools*: Review of the intermediate course, &, &.

Page 10.— "7. Every Union school shall have, when required by the Board of Education, a Normal School Department."

Page 12.— "17. Any student attending a Normal session shall be obliged to attend such classes, in Standard VI in the programme of studies of the *Protestant* Section; or in the Superior course of the *Roman Catholic* Section."

Undoubtedly, all these regulations were kept out of the reach of the Committee when they say: "There is nothing to indicate that there was to be one Normal School for the *Protestant* teachers and another for *Roman Catholic* teachers but rather the one Normal School for all."

For more ample information one may consult paragraph 2 of Father Leduc's important letter (Appendix A.) fully corroborated by Mr. A. E. Forget, who writes to me, on the 1st March, from Regina:

" My Lord,

" In accordance with Your Grace's desire, Rev. Father Leduc " has handed to me a copy of a letter which he addressed to you " regarding our school questions in the Territories. The facts which " he relates and with which my name is associated are all fresh in " my memory and as they are in accord with my own remembrances, " I can without the least hesitation, corroborate them by my own " testimony."

I strongly recommand the perusal of the whole letter of Mr. Forget, from which the above is quoted. It is attached to this memorial as appendix D.

It is but natural that the Honorable Committee should give a broad and favorable interpretation to clause 5 of certain regulations governing teacher's certificates and under the heading " person eligible without examination." The three first clauses of these regulations established an odious distinction between the certificates issued in Ontario and Manitoba and certificates from the other provinces of the Dominion and from the British Islands.

Under clause 4 " the graduates of any University of Her Majesty's dominions, *may receive non professional certificates.*"

The 5th clause states " that persons holding certificates of educational value from institutions other than those mentioned may receive such certificate as the Council of Public Intruction may deem them entitled to." The Report of the Committee says this " clause 5 would appear to have been especially framed to meet the case of those persons mentioned by the petitioners. " The hopes of the Honorable Committee are dispelled by the illustration given by Rev. Father Leduc in the third paragraph of his letter (appendix A). The Rev. Father speaks from personal experience and his statement is perfectly clear and conclusive.

I here quote an extract from the letter alluded to by Father Leduc and addressed by Mr. James Brown to Rev. Sister Bond, Edmonton on the 1st September 1893: " Inspector Hewgill had no " power to endorse the certificates when he visited Edmonton last " spring. Endorsation ceased when Normal School training was " instituted. There has been but one way to secure professional " certificates since midsummer 1892 viz, by undergoing training at " a Normal School."

Such an affirmation from the *then* Superintendent of Education proves " this clause 5 would appear to have been framed " for some-

body else than the members of teaching orders, even the best qualified; Rev. Mother Bond is unquestionably a teacher of the highest standing and experience.

The paragraph 4 of Rev. Father Leduc's letter (Appendix A) gives another illustration of the position of the members of teaching orders. On the other hand, it is very refreshing to hear Mr. Haultain stating, in his memorial, " that no member of a religious Order, " teaching in the Territories to day is affected by the Normal " School regulations."

Very well then for to-day, but clause 5, if it continues to be interpreted as it has been in 1893, will not free the members of Religious Orders from attending Normal School Sessions where and whensoever the Council of Public Instruction shall decide.

(*e*) Books.—The Committee, in their observations about the selection of Books, seem to forget that each section of the Board of Education had an action of its own in the selection of Books as well as in other matters. Mr. James Brown, secretary of the General Board was not the secretary of the *Catholic* Section and consequently, the records kept by him, cannot furnish complete informations.

With regard to the selection of books in connection with the examinations of teachers, all the members of the Board had equal rights. There is no doubt that the *Catholic* members did all in their power to meet the views of their *Protestant* colleagues and I am confident that they were reciprocated, the members of the Board did not meet purposely to disagree or systematically oppose one another, mutual concessions, at no sacrifice of principle, were surely a good policy, specially as it was well understood by all and each member that they preserved their personal independance. An agreement was rendered possible by allowing each section the exclusive choice of their authors, on certain matters, and the exclusive conduct of the examination of their candidates on certain special subjects.

This seems entirely overlooked in the Report.

As to the selection of text books for pupils in the schools it was altogether in the hands of the section; the respective members had only to agree among themselves.

All these rights are taken away from the *Catholics* and no choice whatever is left to them in the selection of books. Decidedly, I disagree with the Commitee when they affirm : " The Committee cannot say that the complaint of the petitioners in this respect is well founded."

To support their views on the subject, the Committee have thought proper to cite the following : " Mr. Haultain remarks that the Council of Public Instruction was but following the example of the *Roman Catholic* Committee of the Council of Public Instruction.

of the Province of Quebec, which, he says, has ceased to use these " Metropolitan Readers. "

I confess I was not prepared for such logic. The *Catholic* Committee of Quebec replaced the Metropolitan Readers by another series of *Catholics* readers ; *therefore*, it is said that the *Catholics* of the North-West ought to be satisfied that the right they had to the selection of books, for the schools, has been taken from their hands and given to others who select the books they choose.

I admit that the value of such an argument is beyond my comprehension.

I invite those interested in the matter to fully investigate the subject, as stated in paragraph 5 of Rev. Father Leduc's letter (Appendix A.)

As for the allegation that the Rev. Father Caron has given his assent to the change of books in *Catholic* schools, it is answered in the letter addressed to me from Regina, on the 24th February, 1894, by the Rev. Father and which is attached to this memorial as Appendix B.

Paragraph 8. of Mr. Forget's letter (Appendix D) fully corroborates the vindication of Father Caron against the said imputation.

The taking, from the hands of the *Catholic* Section, the selections of text books has been conducive to the practical suppression of french books and french teaching in the schools of the North-West. In connection with this deplorable result of the Ordinance of 1892, I respectfully draw attention to a second letter from Rev. Father Leduc, dated Calgary, 26 February 1894 (Appendix C.)

The change which has taken place, since 1892, is made known in a very clear and forcible manner by paragraph 7 of Mr. Forget's letter (Appendix D.) No wonder that the author of the letter adds in paragraph 9 : " As a practical result we have then, at " this time I address you these lines, Monseigneur, the strange spectacle " of *Catholic* schools, managed and inspected by *Protestants*, and in " which the programme of studies is fixed and the text books are " carefully selected, according to the advice of the *Protestant* " superintendant of Education. Such is, in a few words, the intolerable " condition to which the *Catholic* Minority is reduced, in the Terri- " tories by the Ordinance of 1892, and the regulations prescribed " by the Council of Public Instruction, since the said Ordinance has " become in force."

" Had not then the *Catholics* a thousand times reason to ask " its disallowance ; and no body could wonder at their deep " disappointment on hearing that they have asked in vain."

(f) SEPARAT SCHOOLS. — The petitioners stated that : " the

" effect of the said Ordinance, especially by means of the said regu-
" lations passed (or which may be passed) in pursuance thereof is to
" deprive the catholic separate schools of that character which diffe-
" rentiates them from public or Protestant schools, and to leave
" them, catholic separate schools in name only, and such, it is sub-
" mitted, is its obviously necessary effect."

In answer to this complaint, the report of the Committee quotes the sections 32, 36 and 83, of the Ordinance of 1892, by which " Catholics as well as Protestants have power to create separate schools under particular circumstances and to support them separately and exclusively." Decidedly Catholics as well as others possess thereby an advantage and nobody denies it. The petitioners do not deny the existence of separate schools, but they affirm that they are reduced to a mere existence.

The condition of Catholic schools is clearly established in this memorandum; the most objectionable (but not the only one) feature of the act is indicated by the petitioners when they say : " The
" Ordinance complained of denies to the representatives of the Ca-
" tholic minority the management and control of Catholic schools,
" so far as regards their general government and discipline, the
" selecting and prescribing of text books therein, the inspection of
" schools, the granting and cancelling of teachers' certificates."

In virtue of the same law the Catholic schools are under the control and management of the Council of Public Instruction in which no catholic has a vote. The selection of all books, both for teachers and pupils is entirely in the hands of Protestants, as well as the final training and licensing of teachers. The inspectors may be all Protestant and in all cases the examination must be conducted without consideration for Catholic ideas. The Council of Public Instruction and the Superintendent may be Protestant, Freemason, Jew, agnostic, infidel, materialist and they are the only two powers who can make regulations for the Catholic schools; is it an excessive sensitiveness on the part of Catholic parents and of their clergy to feel alarmed and to respectfully demand, from the Federal Authorities to cause the restoration of their schools to a condition that could justify the name by which they are designated.

(*g*) RELIGIOUS INSTRUCTION.—" The committee find that a mate-
" rial change has been made in the working of clauses 84 and 85 of
" Ordinance 59 of 1888." The Committee after stating the difference between the two Ordinances with regard to the suppression in the late ordinance of prayers in all schools and the assimilating of all and any schools with regard to religious instruction adds: " There are no provisions in the ordinance of 1892 in relation to
" religious instruction." Yes, unfortunately there are none. The ordinance has destroyed the character of the Catholic school and it has no provisions on which it can rest securely.

To have a full comprehension of the condition made to Catholic schools of the North West, with regard to religious instruction, it suffices to remember the following points;

No prayer at the opening or during the class;

No religious instruction (even for the youngest children) except during half an hour before closing; just when the children are the most tired and when the shortness of the days, during the winter season, makes them restless and anxious to return home and when the anxiety of the parentsmay determine them to urge their leaving the school at the earliest possible time fixed by law.

No religious instruction is required from the teachers who may be licensed though entirely ignorant of the religious instruction they are expected to give, the teacher may be antagonistic to catholic faith and is answerable for his teaching only to the Inspector and Superintendent who may be as ignorant as himself and as badly disposed with regard to Catholic doctrine.

Such is the condition to which the Catholics schools are or may be reduced in the North West Territories. No wonder " that the change made in the ordinance of (1888) has been such as to cause dissatisfaction and alarm on the part of the petitioners. "

(h) THE MAIN COMPLAINT. — The want of information is the reason why the report says: " The Committee of the Privy Council " have not ascertained that any act done or regulation made by the Council of Public Instruction under the ordinance of 1888 is contrary to the rigth or interest of the minority in the Territories." More information easily obtained, would have modified some of the conclusions as expressed in the report. It is gratifying nevertheless to ascertain that, even in spite of the want of complete information, the Committee recognises the main reason which determined the Petitioners to request His Excellency the Governor General in Council to apply a remedy both against the actual difficulties and the future dangers obviously contained in the law of 1892; the report says: " It would seem that the real complaint of the " Petitioners is that the right and interest of themselves, and of " those who share their opinions and interest are not likely to be " appreciated and safeguarded by a council of Public Instruction, in " which they are not represented by any person fully acquainted " with and showing those interests; and having the right to vote."

The fact is that the ordinance itself is the main blow struck at Catholic schools and the fountain from which may spring, at any moment, the most objectionable regulation and to which Catholics would be obliged to submit. The contentions of Mr. Haultain, so cleverly defended in the report of the Honorable Committee, far from altering my convictions have strengthened those which I expressed in letters written on the occasion of a telegram received

from the Right Honorable the Premier of Canada and dated Ottawa 1st January 1894.

The letters are in no way confidential, nevertheless I had no intention of publishing them if they had not been alluded to in the public prints. Here is the first letter :

St. Boniface, 2nd January 1894.

" Right Honorable and Dear Sir John,

" Your telegram was received last night and I hasten this " morning to answer both by telegram and letter.

" I have not a copy of the full text of the regulations made " under the ordinance No 22, A. D. 1892. I see the utility of that " document to show an instance of what can be done in virtue of " the ordinance itself, so I write and telegraph to Regina to obtain " what I desire.

" Permit me to state that such regulations are but an instance " of what can be done. Even if such regulations had been delayed, " it would prove nothing in favor of the ordinance, though the " regulations themselves add to the conviction of the danger " contained in the ordinance. The fact is that, on the strength of " the said ordinance, the Catholics are all together in the hands of " the open adversaries of their schools and if the ordinance is " allowed to go on, it is merely and simply the sacrificing of the " rights, privileges and practice of the Catholic population and that " even in communities exclusively French and Catholic.

" The danger of the ordinance of which we complain are so " obvious that at first we thought it was unnecessary to petition " for its disallowance and that the Government would prevent its " coming into force. It seemed impossible that the Ordinance " would escape its notice.

" Now that we have petitioned, let us hope that we have not " done so in vain. The Catholics are weak in the North-West and " that but increases the obligation of the Government to protect " them.

" With the most profound respect and esteem,

" I remain,

" Your obedient servant,

" ALEX, ARCH. of St Boniface,

" O. M. I."

On the 3rd January I received three of the documents asked for by the Right Honorable Premier. I forwarded them with the following letter :

St. Boniface, 4th January, 1894.

" Right Honorable and Dear Sir John,

" I herewith enclose three documents I secured, and they are " marked A. B. C.—You will easily perceive therein that no french " or even catholic book can be used in the schools of the North- " West above the second standard.

" You will also observe that all teachers, nuns, as well as " others, are obliged to pass the prescribed professional examination " after a session in the Normal School. This is actually in vigor " and the Council of Public Instruction has the power to do still " worse.

" I therefore strongly urge the disallowance of the school " Ordinance of the North-West Territories enacted in 1892 and No. " 22 also of the amendments to the said Ordinance passed in 1893 " and No. 23.

" May I be allowed to add that this trouble in the North-West " is the result of what has happened in Manitoba. The delay is " increasing the difficulties and adding to the injustice perpetrated " against the Catholics and French who have been the pioneers in " this country. What a disgrace to Canada if this injustice is allowed " to go on without being checked.

" With much respect and esteem,

" I remain,

" Your obedient servant,

" ALEX, ARCH. of St. Boniface.

" O. M. I. "

After having detailed the particular features of the old system, the Petitioners said : " The system operated with entire " harmony " and to the general satisfaction of all connected with the active work " of education in the Territories. " The report of the Committee having quoted the above passage added sneeringly : " it was under " that system that the regulations now objected to were made. " The thrust, sharp as it looks, is not after all so incisive, for the simple reason that the assertion is erroneous and ungrounded both in fact and as a deduction.

(*i*) PETITIONS.—The report says: the Petitioners seem to have considered " they could hardly ask with confidence for disallowance of the Ordinance; " and this assertion is based on the fact that the prayer of the petitioners had an alternative. I can assure the Honorable Committee that the petitioners were entirely satisfied that they could ask with confidence for disallowance and if they prayed with an alternative it was for another reason. They cannot help but think that they are badly rewarded when demanding their rights for having stated that they would accept the mean selected by the Government, providing it was radical and efficacious. They first humbly prayed that His Excellency may be pleased to disallow the Ordinance and secondly, (but it appears wrongly for their interests,) they appealed to His Excellency in Council and prayed that the Legislative Assembly and Council of Public Instruction be *ordered* and *directed* to repeal or amend the said Ordinance and, because they used such an alternative, the report does not hesitate to say that " the Petitioners seem to have considered that they could " hardly ask for disallowance. " I take the liberty respectfully to remind the Honorable Committee that their observation in no way applies to one of the petitions, as it is unjust with regard to the others.

In forwarding to the Governor General in Council other petitions entrusted to me for transmission, I added my own petition in the most concise terms possible and this is how it reads: " I join " my humble request to that of the petitioners to pray that a remedy " should be applied to the inconvenience complained of. The " intention of depriving the Catholics of their rights, in matters of " education, and of abolishing the use of the French language, " especially in the schools, is so manifest that, unless it is checked " at once the injustice will be perpetrated.

" Surely it cannot be the will of the Governor General in " Council to permit such a violation of the law which has organized " the Territories.

" I hope therefore, that the Ordinance and regulation complained " of, will be disallowed and your petitioner shall always pray."

ALEX, ARCH., of St Boniface,

O. M. I.

I was so entirely satisfied that the Honorable the Privy Council would easily perceive the danger of the Ordinance, that I thought it at that time useless to help them by pointing out such dangers.

The report of the Committee is correct in stating that: " an " appeal in the sense of the British North American Act, referring

" to appeals to the Governor General in Council, on matters affecting " education in the provinces of Canada, is not established as regards " the Territories." This disposes of one of the alternatives mentioned in most of the petitions, it destroys the alternatives so that the demand for disallowance is thereby the only one prayer to be considered. The Honorable Committee does not deny their right to comply with that prayer. They merely glide over it and nothing of that which was demanded is granted. The two refusals, one through want of power, the other through want of will, do not nevertheless satisfy the Committee and they quote the North-West Territories Act, invoked by the petitioners, as an acknowledgement that in reality the Catholics of the North-West have a right to their separate schools and that it is to be regretted that such rights have been trespassed upon, by the Ordinance complained of and " they " feel confident that any suggestion having his Excellency's Autho- " rity would be given all proper consideration by the Assembly and " by the Council; and they advise that communication be made to " the Lieutenant Governor of the North-West Territories, urgently " requesting that the complaint set forth by the petitioners be care- " fully enquired into, and the whole subject be reviewed by the " Executive Committee of the North-West Assembly, in order that " redress may be given by such amending ordinances or amending " regulations as may be found necessary to meet any grievances or " any well founded apprehension, which may be ascertained to " exist."

Let us remark that the urgent request is addressed to the very men who have caused the whole difficulty and that their leader has already boldly and officially affirmed there are no " grievance or any " well founded apprehensions " that the Catholics can point out. Time alone will show what will be the result of such an indefinite and uncertain policy.

(f) Conclusions. — Meanwhile the seed of fanaticism and religious persecution is planted in the plains of the North-West; it is carefully cultivated at Regina, surrounded and protected by parliamentary enactments and official cares. The obnoxious seed has already obtained the proportion of a large tree. By order from Ottawa it could have been eradicated; but no, it is allowed to grow under the simple advice to cut off its longest stems, if thought to exceed proper dimensions, to graft on its coarse trunk, some better shoots, from which could be gathered fruits less offensive to the taste of individuals and less dangerous to society.

I have read the report with a deep feeling of surprise and pain; it may be perhaps considered as a clever piece of pleading against Catholic interests but I regret excessively to be prevented from considering it as a complete statement of the case or an impartial

judgment of the same. The report is largely a mere endorsation of Mr. Haultain's views, though it does not require the well known ability of the members of the Committee to ascertain that the memorial of Mr. Haultain can, in great measure, be easily refuted by the very text of the two ordinances spoken of.

I easily understand that at a distance, without full practical knowledge of the details and the working of the two school systems, some errors could have found their way in the report, in spite of the best will; but what I cannot understand is that the Catholics have been kept in complete ignorance of Mr. Haultain's assertions, against their petitions. No one was condescending enough to inform the Venerable Bishop Grandin, or those who represented him or any of the representatives of the Catholic population, of what the chief of the Executive at Regina had communicated to Ottawa; documents and views which have been all accepted, without challenge and without giving to the interested parties the least chance of refuting them.

The petitions of the Catholic laity were all signed by representative men; men elected by Catholic rates prayers as trustees for the different school districts, some of whom are natives of the country, who are more entitled to protection and cautious treatment than any other portion of the community because they already feel acutely the change which has taken place in their country since it became a part of Canada. The other laymen, signers of the petitions are new settlers, some of whom have been induced to come into the country by the assurance that they would have their separate schools where their children could be brought up according to their convictions and instructed in their own language in spite of all that, the minority are refused the protection to which they are entitled.

Two of the petitions were signed by five old missionaries, who have collectively furnished over two hundred years of active service in Manitoba and the North-West and who have grown old amidst the dangers, fatigues and the privations, unavoidable in a country, in which they entered as pioneers of faith and civilization. Forty seven years ago I began to teach reading to children in the North-West. The Reverend Father Lacombe did the same, forty-two years ago; the amiable Bishop Grandin busied himself the same way, in Athabaska, thirty-nine years ago and so forth. The devoted Sisters of Charity have their schools open in the far North-West, for more than thirty-five years; in face of such circumstances, no one did us the favor, if not the justice, to make known to any of us what was objected against our request. The petitioners have been treated as if they had been incapable of appreciating the nature of their complaints and the thing went so far as to ridicule them in stating that they themselves had approved what they condemn to day. Instead

of giving the sufferers a chance of refuting their adversaries, the views of the latter are endorsed and given publicity with the danger of prejudicing public opinion. Newspapers, furnished with official documents and official views are endeavoring to direct that public opinion. Embarrassed with the feeling that they cannot prevent, they quiet themselves and expect to quiet others by saying "This is not a question of sentimentalism?" True, men must be governed by reason but not to the exclusion of sentiments. The seat of the intellect, as well as the rest of the human organs draws its solidity from the focus of life; when the heart beats but weakly and slowly, the brain loses part of its activity and force. The Supreme Wisdom itself knows how to harmonize with the infinite charity, for the government of the world. The minority and those who claimed their rights could have been treated in a very different manner, without their rulers falling into an unreasonable excess of sentimentality.

What preceeds was written, when I was made cognizant of a letter adressed by the Hon. Judge Rouleau of Calgary, to a minister of Ottawa. The Hon. Judge has been, for years, member of the old Board of Education and of its catholic section; so he is perfectly well posted on the law of 1888 and able to appreciate the radical changes brought upon Catholic Schools, by the Ordinance of 1892. His practical knowledge of all the details, supported by his proficiency in law gives particular weight to his opinion. With his permission, I here insert copy of his letter.

Calgary, 30th May, 1893.

Dear Sir,

" At different times my attention has been especially called on " the School Ordinance passed at the last session of the Legislative " Assembly of the North-West Territories.

" After mature examination of this Ordinance, I have come to " the conclusion that it is *ultra vires* of the powers of the Legis- " lative Assembly for, among others, the following reasons:

1.—" Because it is not provided by the said Ordinance that the " Separate Schools should be governed and controled by the " minority, but that they are in fact controled and governed by the " majority; in a word, we have no Separate School system, such " as provided by the spirit of the law, chap. 55, section 14 of the " Revised Statutes;

2.—" Because the section 83 of the said Ordinance No 22 of " 1892, provides that the English language be compulsory and " taught in every school; what is contrary to the spirit of section " 18 ch. 22, 54-56 Vict., 1891;

3.—" Because the section 32 of the said Ordinance (1892) is in

" contradiction to section 14 of the North-West Territories Act, (ch.
" 50 R. S.) in that it limits the rights of the minority more than it
" is limited by the said section 14.

" But of course the principal objection of the Catholics to the
" School Ordinance is the absolute control, the choice of text books,
" the schools inspection, etc., by the protestant majority.

" The Separate Schools exist now but in name; they do not
" exist in fact.

" For the above reasons it seems to me that the Federal
" Government should disallow this Ordinance on the shortest
" possible delay, and thus prevent grave injustice towards the
" Catholic minority.

" I have the honor to be

" Your obedient servant,

" CHARLES B. ROULEAU."

SECOND PART.

WHY AND HOW MUCH I REGRET THAT THE HONORABLE THE PRIVY COUNCIL HAS ACCEPTED THE REPORT OF THEIR COMMITTEE AND PASSED AN ORDER IN COUNCIL IN CONFORMITY WITH THE SAME

I shall surprise no one by stating that I deeply regret the order in Council, which has accepted the report of the Committee, reviewed in the first part of this memorial. I regret this act of the Federal Government because, as I have proved it, it rests on incomplete and erroneous data, from which it draws nclusions, that cannot be admitted. I regret that act because it consummates a crying injustice and erroneous date, from which it draws conclusions, that cannot be admitted. I regret that act because it consummates a crying injustice and constitutes a real danger for the Institutions by which we are governed. I am the Metropolitan of the Ecclesiastical Province, in which are situated the Territories of the North-West. I am the Bishop of a diocese which embraces all Manitoba and most of one of the district of the North-West; Regina the capital is within the limits of my jurisdiction; it is evident therefore that I do not exceed my functions. I merely claim the right of my flock, in raising my voice in favor of schools in which I could feel assured that the Catholic children would receive an education in accordance with the faith of their parents and the teaching of their church.

While accomplishing my duty as a pastor of souls, I am sure not to astonish the Honorable the Privy Council of Ottawa, by stating that I have the right, nay, the obligation of acting within the lines traced for me, by the civil authorities of my country; when I was asked by them to cooperate in the settlement of the difficulties, which had arised at Red River, previous to the entry of the North-West into Confederation. I request therefore to be heard, not only on account of my position in the religious order, but also on account of the position assigned to me, in the political order. I cannot have been used as a medium of pacification, during the difficulties of 1870, and be obliged, to-day, to remain a silent witness of the violation of the promises which, more than anything else, secured that pacification.

As a general proposition, I say without hesitation that what

is now going on, in Manitoba and the Canadian North-West, with regard to schools, is a flagrant and unaccountable violation of the assurances given to the Catholic population of these vast countries. Such assurances were entrusted to me for transmission, precisely because I was the chief pastor of that population. My Episcopal character did not prevent the civil authorities asking my aid, in a settlement of political difficulties; and I claim the political mission I have accomplished should strenghten my voice when I state that the population was deceived, when asked to accept an agreement, which it would have repudiated, in a very energetical way, if it could only have suspected what is going on to-day.

To render my contention clearer, I must first relate a few facts. In March 1869, the conditions of the transfer of the Territory of the North-West to the New Canadian Confederation was settled, between the Imperial Government, the Commissioners of Ottawa and the Hudson's Bay Company. In the course of that negociation the inhabitants of the country were entirely ignored. Later on, Lord Granville in his dispatch to Sir John Young, Governor General, cautioned the Government of Canada: "that the old inhabitants of "the Country will be treated with such forethought and conside- "ration as may preserve them from the dangers of the approaching change." This wise advice was not acted upon; on the contrary, such measures were taken that, Lord Granville in a dispatch, dated the 3rd. November 1869, dit not hesitate to state: "The Canadian Government have by this measure given an occasion to an outburst of violence in the Territory." The noble Lord added afterwards: "Those proceedings have certainly enhanced the responsibility of the Canadian Government," the Imperial Authorities, in consequence of the dissatisfaction of the people, took on themselves, a closer direction of affairs, in order, according to Lord Granville's words: "to exhaust all means of explanation and conciliation before having recourse to force." To comply with such direction the Canadian Government asked Vicar General Thibault and my friend Mr. DeSalaberry to proceed to Red River, in order to calm the apprehensions of the people. Sir Donald A. Smith received a commission under the Great Seal of Canada, and started for Fort Garry to use his salutary influence as mediator, and to turn towards that end the resources of his ability and the means that his exalted position placed at his command.

I was then at Rome, enjoying the happiness that the grand and imposing ceremonies and deliberations of the Æcumenical Council of the Vatican, could procure to a Bishop devoted to his church, when a telegraphic despatch called me to Ottawa. Owing to the importance of the summons, the Sovereign Pontiff dispensed me from the ordinary rules of the Council for obtaining leave of

absence. His Holiness granted me a private audience, blessed my mission and myself and added with emotion: "I bless the people of the Red River, on condition that they will listen to your advice and live in peace and charity." I left the Eternal City, on the 12th January 1870. On my meeting Sir George Cartier in Montreal, he said to me, with his usual frankness: "I am happy to see you, we have blundered, and you must help us to undo the mischief." I proceeded with him to Ottawa and remained in the Capital some ten days. I often met the Governor General and his Ministers. His Excellency called me to several private audiences, either alone or with some of his advisers. I had an interview with the whole Ministry, and several with its leading members. After I had been made well acquainted with all the circumstances of the case, my departure for the North-West was fixed for the 17th February. The day before leaving, I had the honor of a long interview with the Governor General. His Excelleney handed me the following autograph letter:

"Ottawa, February 16, 1870.

"My Dear Lord Bishop,

"I am anxious to express to you, before you set out, the deep "sense of obligation which I feel is due to you for giving up your "residence at Rome, leaving the great and interesting affaires in "which you were engaged there, and undertaking in this inclement season the long voyage across the Atlantic, and long journey "across this continent for the purpose of rendering service to Her "Majesty's Government, and engaging in a mission in the cause of "peace and civilization.

"Lord Granville was anxious to avail of your valuable "assistance from the outset, and I am heartily glad that you have "proved willing to afford it so promptly and generously.

"You are fully in possession of the views of my Government, "and the Imperial Government, as I informed you, is earnest in the "desire to see the North-West Territory united to the Dominion on "equitable conditions.

"I need not attempt to furnish you with any instruction for "your guidance beyond those contained in the telegraphic message "sent me by Lord Granville on the part of the British Cabinet, in "the proclamation which I drew up in accordance with that "message, and in the letters which I addressed to Governor "McTavish, your Vicar General, and Mr. Smith.

"In this last I wrote: all who have complaints to make, or "wishes to explain, are called up to address themselves to me, as Her "Majesty's representative, and you may state with the utmost con- "fidence, that the Imperial Government has no intention of acting

" otherwise than in perfect good faith towards the inhabitants of " the North-West. The people may rely that respect and attention " will be extended to the different religious persuasions; that title " to every description of property will be carefully guarded and " that all the franchises which have subsisted, or which the people " may prove themselves qualified to exercise, shall be duly continued " and liberally conferred.

" In declaring the desire and determination of Her Majesty's " Cabinet, you may safely use the terms of the ancient formula: " 'Right shall be done in all cases."

" I wish you, my Dear Lord Bishop, a safe journey and success " in your benevolent mission.

" Believe me, in all respect,

" Faithfully Yours,

" JOHN YOUNG."

With the above letter in my hand, there is certainly no temerity, on my part, in stating that I have the right and even the duty to point out the manifest violation of the promises it contains. The Legislation of Manitoba and of the North-West, on the School question, is contrary to assurance given, and as long as a proper and efficacious remedy is not applied, I shall remain convinced that the social equilibrium is disturbed in Canada and that the perturbation is the result; 1. of the violation of royal promise; 2. of the sacrifice of a federal autonomy; 3. of the abandonment of the minority to the unjust vexation of the majority.

1.—VIOLATION OF ROYAL PROMISE.—When I met the Governor General in Ottawa, in 1870, he insisted, in a special manner, that I should accept his word as a sure guarantee. He was not acting simply on the advice of his responsible ministers, but he was acting as the direct representative of our Beloved Queen, having received from Her Majesty's government a special direction to that effect.

As a proof of this special mission His Excellency, in alluding to his proclamation of December 1869, told me: "The proclamation I drew up in accordance with the message of Lord Granville." That proclamation had not yet been promulgated in the Red River settlement; it was given to me with the request to make it as widely known as possible; specially among the Catholic population. His Excelleney pointed out the following passage: " By Her Majesty's " authority I do assure you that on the union with Canada all your " civil and religious rights and privileges will be respected."

The very letter, I have quoted above, proves also that the Governor was acting in the name of Her Majesty; otherwise he

could not have said to me: "I am anxious to express to you the "deep sense obligation which I feel is due to you for giving up your "residence at Rome, for the purpose of *rendering service to Her "Majesty's Government.*" His Excellency let me know that my services had been desired by the secretary for the Colonies, and he wrote: "Lord Granville *was anxious* to avail of your valuable "assistance from the outset and I am heartily glad that you have "proved willing to afford it." Alluding to our long and numerous conversations, His Excellency added: "The Imperial Government, as "as I informed you, is earnest in the desire to see the North West "Territory united to the Dominion on equitable conditions. The "Imperial Government has no intention of acting otherwise than "the perfect good faith towards the inhabitants of the North-West."

His Excellency was so anxious that I should persuade the people that they had nothing to fear, on account of their religion, that in his letter to me, he added a new promise to the assurance given in his proclamation. In that letter, we read "By Her Majesty's authority, the people may rely that respect and attention will be extended to the *different religious persuasions.*"

If the Proclamation issued by the representative of Our Beloved Queen. in her name, and framed by special direction from a minister of Her Majesty; if the letter addressed to me, to corroborate His Excellency's most solemn assurances, given "by Her Majesty's authority"; if all that means any thing and is not purely idle talk, it means that: *at the union of this country with Canada all religious rights and privileges of the different religious persuasions would be treated with respect and attention.*

The Catholic populations of Her Majesty's domain were not to be excluded from such advantages; the proclamation was specially intended for them, as well as the letter addressed to me.

Now the religious convictions of the Catholics, with regard to the education of children, are well known; they are the same in all countries and at all times; they are such that the faithful and their pastors bear all sorts of expenses and annoyances rather than to desist from them.

A Catholic population does not enjoy full religious freedom, when impeded from having schools, in accordance with their own ideas or convictions. This was well known to the Governor General of Canada, when he promised respect and attention for our religious persuasions, when he assured the Catholics that their religions rights and privileges would be respected. It would have been a mockery to add that there would be no protection for Catholic schools. That mockery, the Catholics have to bear it now, both in Manitoba and in the North-West. Respect and attention are extended to the different religious persuasions, except to

Catholics; so much so that Protestants are granted schools that satisfy them while the Catholics are refused the same privileges; their schools are surrounded with difficulties, on account of religious convictions.

In 1890, the Government of Manitoba thought of a law which would modify both the Protestant and the Catholic schools to such an extent as to assimilate them all, by banishing all religious instruction. The attempt failed, as far at least, as Protestant schools are concerned. These schools remained what they were, plus the obligation for Catholics to help in their support. The Catholic schools, on the contrary, ceased to be recognized; they are deprived of their ligitimate share of Government grant; they are even deprived of all legal means of securing any help. If the Catholics of the Province do not accept the system viewed with so much favor by the Protestants, all Catholic school properties in the Province are to be confiscated and handed over to municipalities, in several of which the Catholics have no action but that of paying their taxes, not only the general municipal taxes, but also the taxes levied for the support of Protestant schools.

Such is the respect and attention extended "to one of the different religious persuasions", in Manitoba.

In the first part of this memorial, I have shown, under its true light, the condition of Catholic schools in the North-West under the Ordinance of 1892, which the Government of Ottawa has just of declined to disallow. More cautions than the Government of Manitoba, that the Territories has left the Catholic schools in existence, but it has deprived them of what constitutes their true character, and of their freedom of action.

The new school laws of Manitoba and of the North-West are a plain and manifest violation of the assurances given by Her Majesty's authority and in Her name.

The Catholic persuasion, "far from receiving" the respect and "consideration promised to the different religious persuasions," is deprived of rights and privileges, which ought to be considered natural and inalienable, in a country, which boasts of religious equality and of freedom of conscience.

The Governor General wrote to me: "In declaring the desire "and determination of Her Majesty's Cabinet, you may safely use "the terms of the ancient formula, *Right shall be done in all cases.*" I used the terms, they were respected for twenty years in school legislation, but since 1890, the lie is given to the formula.

I know, better than any one else in the world, the impression I was asked to convey to the dissatisfied people of Red River, and know that the assurances, then given, are not taken into account, I strongly protest against such injustice and violation of the promise said ther *to be formulated by royal authority.*

2.—SACRIFICE OF FEDERAL AUTONOMY.—Now a days, it is often spoken of provincial autonomy and of the obligation, for the central power, to respect the rights of the confederate Provinces. This is but just and necessary for the working of our political institutions; on the other hand, this cannot mean that provincial authorities are almighty and absolutely independent; that they have every thing under their absolute control, even the question of general interest and obligations incurred previous to the formation of the same Provinces.

The federal power is endowed also with autonomy and it has the right and obligation to safeguard this autonomy; in order to maintain its entirety. Such a duty does not free the Dominion from colonial tie, nor does it free its legislation from the Imperial veto and does not constitute it as an independent state. Restrictions, rightfully established and carefully exercised by a superior authority, are not an encroachment on the rights of an inferior power, specially when the latter owes its existence to the very same restrictions Such notions are elementary; nevertheless I consider them as necessary to catch the real meaning of what I have to say.

In the beginning of 1870, there was no Province of Manitoba, no government in the North-West Territory. Canada itself possessed nothing, and had absolutely no jurisdiction, in these vast countries.

Forgetful of the restrictions of federal autonomy, Canada went beyond its jurisdiction and thereby gave occasion to difficulties in the Red River country, which, at the time, was purely and simply a British possession; the Hudson's Bay Company having, on consideration, desisted from its pretensions or rights. The Imperial Government was willing to transfer the country to Canada, on the conditions stipulated in 1869, but moreover, on certain other conditions determined by the insurrectional movement, which had been caused by Canada's premature entrance in the country.

The North-West was not to enter into confederation as a conquered land. "Troops should not be employed in forcing the sovereignty of Canada on the population of the Red River, should they refuse to admit it." (Sir F. Roger's letter, 22nd March, 1870.) Having not to conquer, Canada had to resort to negociations, to secure the admission of the North-West into her confederation and to accept decision of Her Majesty's Government on all portions of the Bettler's Bill or rights," in order to satisfy the delegate, who had been called to negociate. The negociations were unquestionably binding on both sides on the points agreed to, otherwise they could not be called "negociations," or "understanding as to the terms on which the settlements on the Red River should be admitted into the Dominion."

On the 3rd of May the Governor General was able to telegraph to Lord Granville : " Negociations with the delegates closed satis- " factorily." All that was to be and was done, without trespassing on the autonomy of the Dominion of Canada ; but all that could not be done, without imposing on Canada new and special obligations, that she would have to respect and cause to be respected, throughout the country she was to acquire, and in the different provinces and Territories that she might think proper to circumscribe therein. These obligations, on the part of the Federal Government, cannot be considered as an encroachment on the rights of the Province of Manitoba or of the Territories of the North-West, as they were accepted by Canada, even before the creation of Manitoba and the organization of the Territories.

Otherwise, it would be just as well to say that Ottawa is acting against the autonomy of the prairie Province and the Territories, by the appointment of Lieutenant Governors, the establishment of post offices, the collection of duties, &c., &c.

Suppose that the Legislative Assemblies at Winnipeg or Regina take the fancy to pass laws enacting, some way or other, about the above mentioned matters or some similar, would Ottawa hesitate for a moment to disallow such enactments and if the people were complaining of the violation of their rights, it would not take a long time to tell them that rights imply obligations and that the Federal Government had to protect its own autonomy ; disallowance being merely one of its prerogatives. The Federal Government would have thousand times reason to resort to such self protection, as it is thousand times wrong in neglecting its obligations. Obligations are in reality more sacred and more imperative than the revendication of a right. Authority can desist from a legitimate claim but it cannot do lightly with an obligation.

Let us now consider what are the obligations of the Federal Government, with regard to Education, in the countries, which have been the object of the negociations of 1870.

The Delegates of the North-West carried to Ottawa and supported a certain Bill of rights. The 7th article related to schools and demanded Separate Schools and an equitable distribution of school money, in order, according to the Governor General's expressions : " that respect and attention would be extended to the differ- " ent religious persuasions."

No objection was made against this proposition of the Delegates. On the contrary, they were assured that it would be carried out and, on both sides, it was considered as a condition of the entry of the North-West into Confederation. Otherwise, the Governor General could not have produced to the satisfaction, which was experienced and expressed by the Imperial Government and caused

by the telegram of the 3rd of May stating : " Negociations with the " delegates closed satisfactorily."

Therefore, the Delegates asked for Separate Schools, which would have the right to share in school appropriations ; the request was accepted favorably by the Ministers, who were negociating in the name of Canadian Government.

Lord Granville in the name of the Imperial Government, wrote to Sir John Young, on the 18th of May 1870 :

" I take this opportunity of expressing the satisfaction with " which I have learned from your telegram of the 3rd inst., that the " Canadian Government and the Delegates have come to an under- " standing as to the terms on which the settlements on the Red " River should be admitted into the Dominion." These facts cannot be denied except through a complete ignorance of the negociations.

I know the objections brought forward against my assertion, but they have no weight nor value. For an instance, it is said that the Delegates were not the representatives of the people of the North-West, this objection is absolutely futile, since the Canadian Government recognized them, negotiated with them with the knowledge, the approbation and at the satisfaction of the Imperial Government.

They also affirmed that the " Bill of rights, framed at the public " convention, made no reference to schools; that the schools were " not spoken of at the convention." This other error does not stand before the knowledge of facts.

Sir Donald A. Smith, Canadian Commissioner at Red River, during the disturbance, is unquestionably a reliable witness of what occured at the Convention, in which he took so prominent a part and which gathered, at Fort Garry 20 representatives of the English population and 20 of the French. The report of Sir Donald A. Smith was printed in the Sessional Documents No 12, 1870. Sir Donald recognises that the statement published in the Journal "The New Nation", is fairly exact. Then the "New Nation", reports the 9th article of the Bill of Rights as prepared by the Committee of the Convention and which reads as follows : "Article 9th : "The sum of $15,000 a year be appropriated for schools &."

A discussion ensued and " Mr. K. McKENZIE seconded by Mr. Riel, moved that the amount be $25,000. Mr. McKenzie's amendment carried " and the article as amended was adopted, on a " division ; yeas 27, nays 9."

In consequence the Bill of Rights, submitted to the Hon. Mr. Smith, demands, in article 9th that, "the sum of $25,000 a year be appropriated for schools &"—and the answer of the Hon. Canadian Commissioner was: "I feel quite certain that an amount, even exceeding that here mentioned, will be appropriated for the purposes referred to."

It is evident, therefore that the schools were referred to in the convention, that a yearly appropriation for that object was put in the Bill of Rights framed by the same convention; and that the Hon. Canadian Commissioner did not hesitate to assure the people that their request would be more than complied with, by the Canadian Government.

True, it was not spoken then of separate schools, but the circumstances implied necessarily schools of that character, because there were no other schools in the country and I dare say that no other were thought of at the time, either by Protestants or Catholics; and if the proposition of depriving the Catholics of their legitimate share had then been suggested it would have been repudiated without hesitation by all.

The 7th Article of the Bill of Rights considered at Ottawa was no contradiction to the request of the Convention, it merely and simply gives the true meaning of the Convention's request with regard to schools and I repeat it, it was understood and accepted as such by the negociators.

I do not ignore that the Manitoba Act has been unfavorably interpreted; nevertheless, and notwithstanding my respect for and submission to the courts of my country, I do not hesitate to state that the question is not settled in a just and satisfactory manner. I wish to be understood.

The Courts have pronounced simply on the interpretation of the words of the law; they have not examined the other aspects of the question. It is evident that the wording of the 22nd Clause of the Manitoba Act has not been able to command the unanimous opinion of the learned authorities who have pronounced on it. The first sub-clause has been examined by the highest tribunals of Manitoba, Canada and England with the following results. The Court of Queen's Bench has pronounced unfavorably to the minority, three judges being against, and one in favor. The five judges of the Supreme Court of Canada, have been unanimous on an interpretation of the law favorable to said minority.

Therefore, in Canada, six out of nine judges have decided that the law which in reality had been passed to protect the minority, is clear enough to attain its object and the intention of the legislators.

The cause having been brought before the Judicial Committee of the Privy Council, met with defeat. I am told that the judges were not unanimous; if so, the cause of the minority is supported at least by half of all the Judges, who have given their interpretation.

The diversity of opinion between the tribunals and between the members of some of them is not an inducement for the minority to view with satisfaction, a result depriving them of rights, guaranteed by the negociations and which have been recognized as

certain, during 20 years after the creation of Manitoba. One is compelled to acknowledge that human justice is very uncertain and that human laws are often badly defined.

The opinion of the Supreme Court of Canada has been asked for by the Federal Government, on certain special points indicated by the Government, and outside of many considerations and facts which command attention in a cause so important to the welfare of the minority. Here again the opinions differ and the learned Judges do not agree on the meaning of the law and its applications. Six questions were submitted for opinion. On one point three Judges out of five gave an opinion favorable to the appeal by the minority: on the five other points, three out of the five Judges, decided against that appeal. What will now be done? The opinion of the Board is not binding and the Government remains with its responsibility, and the Parliament with its power. What will now be the action of the friends and adversaries of freedom of teaching? The sacred cause is just now in a very alarming condition, both in Manitoba and the Territories and this condition of affairs, I cannot help repeating, is diametrically opposed to the intention of the legislators, who enacted the laws, which are now interpreted against the minority, though they were expected to protect the same minority.

There cannot be two opinions concerning the intention of the legislators at Ottawa, in voting the school clause of the Manitoba Act, 1870. All proves evidently that the object of that legislation was to protect the minority either Protestant or Catholic. Every circumstance connected with that legislation points out in that direction; the negociations asked for by the Imperial and Canadian Government to arrive at an understanding which satisfy the people or the North-West and dispell their apprehensions; the request of the delegates asking for separate schools; the satisfactory answers given to the delegates; the promises of the Government; the very fact, under such circumstances, of the introduction of a school clause in the Manitoba Act; the discussion in Parliament with regard to the same clause; all, absolutely all prove that the legislators were bound and willing to secure a protection for the minority in matters of Education. The opinion here expressed has been fully endorsed by many eminent men, who took part both in the framing and discussing of this clause and all are unanimous in stating that the clause was intented to protect the minority.

Let an investigation take place, and I am sure that there is not a single witness that would dare to come, and on oath declare that the law as passed was in no way intended to secure the protection demanded. On the contrary there are many witnesses who would unhesitatingly give sworn evidence that the clause 28 was introduced

into the Manitoba Act and was voted with the certainty that the said clause would secure to the minority of the new Provinces, rights, acquired before, or to be acquired after the admission of the country into the Dominion. To deny this is simply to close one's eyes to the evidence. To refuse to draw the natural conclusions that such evidence dictates to all political parties, to all classes of citizens of whatsoever origin or creed is a criminal abandoning of an imperative obligation.

But, some would say, the law is not clear, the judges do not agree in its interpretation! Well, if the three branches of the Legislature at Ottawa have failed to express themselves in a way that could be interpreted in accordance with their view, let them remedy the mistake and legislate to day according to the intention which had determined the legislation of 1870, but for peace sake let the injustice be removed as well as the clause of the Constitutional Act of Manitoba which is worse than a dead letter and which would be the disgraceful monument of a legislative blunder, if the judicial decision continue to affirm that such law does not only mean nothing in the sense of protection, but moerover that it deprives the minority of the Province of Manitoba of all the immunities granted to her Majesty's other Canadian Provinces by the Imperial Act of 1867. (clause 93.)

There is surely wisdom enough in the country to enact a law expressing clearly, what it is intended to mean. As the matter stands now, the Minority is in much worse condition in Manitoba than in any other province ; the Catholics have lost the beneficial practice by which schools were recognized and helped, for the fifty years previous to their entry into the Dominion ; the assurances given to determine them to join the confederation are disregarded, they are deprived of all the rights ad privileges they have enjoyed by the law, since the reunion with Canada till 1890. Bad and unjust as all this is, it does not satisfy the persecutors ; a new enactment passed during the last session and sanctioned, last Friday by the Lieutenant Governor of Manitoba has decreed the confiscation of all Catholic school properties and houses though acquired and built exclusively by Catholic money ; unless the oppressed population submits blindly to what is done or may be done in their own schools contrary to their religious convictions ; can it be possible that all this is to be tolerated ?

In the North-West Territories the letter of the law is allowed to stand, separate schools have their existence, pending their entire and complete suppression. The ordinance and those by whom it is administrated, have taken from the Catholics schools all that could characterize them as such and the spirit of federal law is violated in the most open and arbitrary manner and, on false informations,

Ottawa has decided that there was no reason to disallow the ordinance of 1892; besides the Catholics are told that in reality and practically the ordinance takes nothing from them.

The persecution against Catholics is tolerated under the pretense of respect for provincial or territorial autonomy. What about federal autonomy?

The dignity and prosperity of a self governing country does not consist merely in the protection of its rights and privileges, but also in the accomplishment of its duties and obligations. The government is the judge of the degree of self protection it can or ought to secure. On the other hand, those in favor of whom, it has contracted obligations, have the right to claim their fulfilment; the voices of the sufferers cannot be stifled without inconvenience not only to themselves but also to the central power; Canada cannot tolerate injustice without abandoning the exercice of its rights and the fulfilment of its obligations and that is what I call *the sacrifice of Federal autonomy.*

3.—Abandonment of the minority to the vexations of the majority,

To any British subject it ought to be sufficient to have demonstrated that the rights of the *Catholics* to their Separate Schools in Manitoba and the North-West have their foundation in the honor of the Empire which has been engaged by the assurances given officially in the name and by "Her Majesty's authority."

To any Canadian worthy of the name it ought to be enough to have proved that the most elementary justice commands the respect of the conditions which have been stipulated and to which Canada has been a party; having consented to the terms without which she would not be to-day in possession of what constitutes the half of her domains.

To this consideration of a special and of the highest character I can add other motives which are, it is true, of common application, but nevertheless not without importance. I say that the minority ought not to be badly treated precisely because it is the minority and that, in all well organised societies as well as in all well conducted families there must be a protection for the weak. A father of a family knows how to interpose to protect his younger children against the bad treament of the older ones. The grand neighboring Republic has not hesitated to enter into a long and bloody civil war to protect the colored population of the Southern States. How can Canada remain an idle spectator of the sufferings of a class of her children who claim protection?

Let every one ponder the desastrous consequences which may be entailed by the principles invoked to-day against us. The Canadian Confederation is in its twenty seventh year of existence

and Manitoba in its twenty fourth and in this province, *Catholics* are already ostracised; not only are they deprived of their legitimate share of the School endowments, but the taxes levied upon them are for the benefit of schools conducted contrary to their convictions; more than this, their school properties are confiscated, properties acquired by their own money without any help from outside; and Ottawa permits it to go on! Where is the country going to, under such a system?

To-day, it is the spoliation and arbitrary confiscation; to-morrow, it may be imprisonment and if the majority so wishes,as it says it cannot be controlled, it may be that next thing will be banishment or the reenactment of penal laws. Manitoba has already seen the outlawry of one of its children, to whom protection had been promised.

It may be admitted that it is a dangerous game to disregard minorities, to the extent of considering them as an insignificant quality which is not to be taken into account.

A pin is the smallest of toilet articles; used properly, it may add to the elegance and comfort of a dress, but if the little article is uncautiously placed under the heel, it may turn up to the discomfort of the imprudent, who uses it that way, and his walking will certainly be impeded, even if he is the most elegant and fast walker. If he persists in disregarding his mistake it may be the cause of muscular disorders followed by the most disastrous consequence. Something similar may occur in a social organization.

A minority, small and weak, as it may seem, has always some influence. Treated with justice and consideration, it may add and will surely add to the strength and honor of its country, but if the same minority is despised and if, instead of being allowed its proper place, it is crushed underfoot, a different result may be expected.

After all, the oppressed minority is not so numerically insignificant as people seem to think. In Manitoba and more so in the North-West, the *Catholics* are, in proportion to others, more numerous than the *Protestants* are in proportion with the *Catholics* in the Province of Quebec. If I am not mistaken, there is, in the opinion expressed lately in the Supreme Court something which could be applied to the Province of Quebec, in the same way as too many are pleased to see it applied to Manitoba. I know that the majority in Quebec will never attempt to deprive the minority in that province in the matter of Education, of anything appertaining to the religious convictions of the said minority. I am proud and happy that the well known dispositions of my countrymen and co-religionists inspire me with such conviction and trust.

If, although impossible, the majority of Quebec should think of

depriving the *Protestant* minority of the rights and privileges acknowledged previous to its entry into Confederation and which have since been recognized by provincial laws, Yes, should such a proceeding be attempted, we should experience the most violent commotion ever seen in the country. From Halifax to Victoria, from l'Ile de Sable to Charlotte Island, by water and by land, everything and every one would be put into motion to protest against the injustice, the bad faith, the encroachments, &c., &c. The excitement would be such that there would be no delay in Ottawa to disallow the provincial law. Then, the provincial autonomy would have to retreat before the federal autonomy, and that would be right and the *Catholic* Canadian Bishops, would be the first to join their voices to that of the *Protestants* of Quebec, to the demand that the latter should be treated with justice.

How is it then, that the similar attempt is so differently considered, when directed against the minority of Manitoba and the North-West ? Alas ! the sole possible explanation is that there are two weights and two measures, according to the violence of the cries, or to the disposition of those to whom weight and measure are applied.

The last general census, for the Dominion, registered, in round figures, 2,000,000 *Catholics* and 2,800,000 *non-Catholics*, *Protestants* and others. The difference is large, but is it large enough to justify the opinion, which seems to prevail, that *Catholics* do not need to be treated as others, and that they are bound to accept silently, if not thankfully, what is decided by their fellow citizens of other creeds?

We had peace in Manitoba and the North-West, with regard to Education. The promise coming from England had been repeated at Ottawa and their softening echo was repeated through all the prairies of the West. Then came a man, who breathed over the country a breath of discord and fanaticism ; politicians did not hesitate to utilise the dangerous weapon to defend their own position by stimulating the desire of abolishing all religious instruction in all the schools ; they could not have failed to see the ultimate result. The majority raised their voice against the project, in as much as they were concerned, and then they entered into a bargain with the politicians. The majority told to the authors of the school law : " You may abolish the *Catholic* schools, we will be but too " glad, but do not touch our *Protestant* schools ; we wish to keep " them what we have made them." " Very well, said the politicians, " give us a compact vote, support all our measures, and then, not " only will we abolish *Catholic* schools, but we will force their " supporters to pay for yours." And so it was done. *Catholic* schools were condemned by the very same law which protects and enriches

the school dear to *Protestant* ideas. Peace has since disappeared from the country, dissension is among its citizens; the bad seed is also taking root in the North-West and a painful agitation threatens Confederation.

Political parties fear or expect the result that could come out of the excitement; the tribunals are exercised with the most subtile interpretations; the books of the learned are searched in, to ascertain that the Canadian Parliament knew or did not know what they said, when they prepared and voted the Constitution of Manitoba.

In the midst of that legal and political tournoy, the most contradictory opinions are expressed by equally learned men.

Outside of the Courts, some say: "Unconstitutional or void laws ought not to be disallowed"; others add: "The Ordinance of the North-West was not to be disallowed, being within the limits of the Constitution." It is said yes, it is say no, and the discordant voices prevent the protection required and asked for.

We have the most evident proof that the wording of the laws is not the real source of our difficulties; here is the proof of my assertion: The Manitoba Act, passed by the Federal Legislature in 1870, ratified by the Imperial Parliament in 1871, reads as follows in its 23rd section: "Either the English or the French language may be used by any persons, in the debates of the houses of the Legislature, and both those languages shall be used in the respective Records and Journals of those Houses. And either of those languages may be used by any person, or in any pleading or process in or from all or any of the Courts of the Province." The Acts of the Legislature shall be printed and published in both those languages. Unquestionably these few words are clear; their meaning is obvious; they are perfectly intelligible; there cannot be two opinions on their real signification.

What has happened? The Local Government of Manitoba, in defiance of a federal statute so clearly expressed, in spite of the confirmation of the same by the Imperial Parliament; yes, the Government of Manitoba proposed and its compact majority voted as follows:

"Any statute or law to the contrary notwithstanding, the "English language only shall be used in the Records and Journals "of the House of Assembly for the Province of Manitoba, and in "any pleadings or process in or issuing from any court in the "Province of Manitoba, the acts of the Legislature of the Province "of Manitoba need only be printed and published in the English "language."

The Lieutenant Governor gave assent to the bill, unconstitutional and unjust as it is, and the enactment is indicated 53 Vic., chap. 14.

The matter was referred to Ottawa as offensive to the dignity of the British Parliament, subversive of the Federal Legislation and injurious to the interests of the French speaking Canadian population.

Who raised his voice in the Federal Parliament or who acted in a way to have such an unconstitutional act erased from the state book of the prairie province ?

Meanwhile and ever since the cause of our schools is carried from tribunal to tribunal to secure an opinion about the subtilities which could be detected in the wording of the school clause. Clear language has proved of no avail or is supposed to be unintelligible to avoid rendering the justice implied in its natural signification.

I love my country ; I would like to see its political institutions admired ; I would be happy to feel that freedom they are supposed to afford is enjoyed by all. But, alas ! the events of the last few years are not showing Canada and Canadians to the best advantage.

The divine precepts have prepared my will to submit to the laws of the land of my allegiance, but my heart is not forbiden to bleed, when such laws are unjust and detrimental to the interests of so many of Her Majesty's loyal subjects. Sincere *Catholics* will obey the laws, even if offensive to their interests and enacted against them, precisely because they have *Catholic* convictions. How cruel it is to take advantage of their spirit of submission to oppress them !

May God pardon the authors and abetters or such wrong doings and enlighten them that they may comprehend that the maltreatment of the minority will, on the long run, prove injurious to this Province, its adjacent Territories and even to the whole Dominion

† ALEX. TACHÉ, ARCH. of St Boniface.

St Boniface, 7th March, 1894.

APPENDIX A.

To His Grace Alex. Taché,
Archbishop of St-Boniface.

My Lord,

I have just read and studied with all possible diligence and attention the Report of the Privy Council of Canada, approved by His Excellency the Governor General, the 5th February 1894.

A petition made in the name of His Lordship Bishop Grandin, of St. Albert, 17 others made by the trustees of the Catholic schools of the North-West Territories, and another drawn by Your Grace, had been addressed to His Excellency the Governor General in Council. All these petitions expressed the grave subject of complaints of the Catholics with regard to the last School Ordinance in the North West Territories. Perfectly identical except the one presented by Your Grace, they asked, either the disallowance of the Ordinance No. 22 A. D. 1892, or a formal order to the Legislative Assembly and to the Council of Public Instruction to repeal or to amend the said Ordinance and the Regulations of the Council of Public Instruction in such a way as to remove all the grave and just subjects of complaints formulated by the Catholics in the petitions to His Excellency the Governor General in Council.

Both alternatives are refused, we are simply commended to the good will of the Lieutenant Governor that he may interest himself in our favor with the Legislature of the Territories and the Members of the Executive, who form also the Council of Public instruction. Now, My Lord, my conviction is that we have been entirely sacrificed by the Governor in Council. They reject our most legitimate subjects of complaint ; they overlook their importance and bearing. It is what I will endeavor to prove.

We read in the report of the Committee of the Privy Council :

1.— " Upon a comparison of the duties prescribed for Inspec-
" tors of schools in the Ordinance of 1888 and that of 1892, as
" amended, it will be seen that they are practically the same."

The report of the Committee of the Privy Council eludes deliberately the question and gives a conclusion the greater part of which is outside of the subject of the petitions. We complain that the Ordinance of 1892 deprives us, Catholics, of the right of

appointing our Inspectors for our catholic schools, right granted by the Ordinance of 1888. This Ordinance conferred on the Catholic section of the Board of Education the power to appoint its Inspectors. It is this right that we claim in our petitions. Protestant Inspectors, owing to their religious education, their prejudices, their opposition to the Catholic school system, cannot, generally inspire us any confidence. We protest in our petitions against that violation of the right that we have to govern our schools and appoint our Inspectors, as we acknowledge the same right to the protestant schools. I regret to be obliged to state that the decision of the Privy Council, in the case in question, has not at all for its object the true complaint of the petitioners. Let them not tell us: "Out of four inspectors, you have one catholic." If we have him to day, we may not have him to-morrow. At all events, he cannot inspect but the schools of one district, all the schools of the other districts being outside of his jurisdiction. Once more, the right to appoint our Inspectors is taken from us, and we are at the mercy of the Council of Public Instruction, entirely composed of Protestants, in which no Catholic has a right to vote: and our schools are nearly all inspected by protestant Inspectors who may be altho,ether hostile to our educational institutions, especially to our Convents. Such is the true object of our complaints: such is the right that we claim. And this is what has been overlooked at Ottawa. "You have no right to complain, we are told; the Inspectors' duties are practically the same to day as they were before the Ordinance which you ask to be disallowed. In the mean time, accept the Inspectors that are imposed upon you, although they may be your enemies and members of secret societies who have sworn the total destruction of your institutions."

2.—The report says: "The Committee are informed by Mr. Haultain's statement that as far back as January 1888, at a meeting of the Board of Education, it was resolved: "That in the opinion of this Board it is necessary to make provision for the instruction and training of teachers for our public schools in the science and art of teaching, that the Board feels that the appointment of a Normal school Principal, whose duty it would be to hold Normal school sessions in different parts of the Country, would have the best possible results in increasing the efficiency of teachers and stimulating education.

"Therefore it is resolved that His Honor the Lieutenant Governor be requested to urge upon the Dominion Government the advisibility of granting the sum of $5,000 (five thousand dollars) for the next financial year for Normal school purposes.

"There is nothing in the above resolution to indicate that there was to be one Normal school for Protestant teachers and

another for Roman Catholic teachers, but rather the one Normal school for all."

Let us see :

In the month of January 1888, the Board of Education, composed then of eight members among whom 5 protestants and 3 catholics, discussed the advisibility of having in a near future Normal schools, that is to say, as soon as circumstances would permit and such establishments would pratically possible both for protestants and catholics. I was then a member of the Board with Hon. Judge Rouleau and Mr. A. Forget. Hon. Judge Rouleau was absent on that day, but Mr. A. Forget and myself took part in the discussion, and all the members of the Board, protestant and catholic, were of opinion that Normal school Institutions could but stimulate and promote the cause of education. It was proposed to hire a Principal, but Mr. Forget immediately pointed out that two were required, one for the protestants and one for the catholics. As the thing was not to be done at once, it was resolved to pass only the resolution, mentioned by the Privy Council, asking for a subsidy of $5,000 (five thousand dollars) for Normal school purposes, without specifying them. The Board of Education reserved to itself to regulate the use of these $5,000 if that sum was granted for the purposes in view, and the catholic section knew that it had also a right to a part of that sum, if it were granted. All the members understood or at least could understand by Mr. Forget's remarks and mine, that, when the time for act would come, we would claim our right to one or several catholic Normal schols. And in fact, every time that this question has been brought before the Board of Education since January 1888 until our last session in the summer of 1892, I have always, supported by my colleagues Hon. Judge Rouleau and A. Forget, Esq., claimed catholic Normal schools, if ever the Board should pass a resolution making compulsory the attendance at those schools. I have done more, I have always maintained that the establishments of our Sisters, devoted to education during their whole life, were nothing but a continuous Normal school lasting for them until death. On the report of Mr. Haultain, chief of the Executive at Regina, a party interested before all to the maintenance of his Ordinance of 1892, the report of the Privy Council, says : that the resolution passed unanimously by the Board of Education in January 1888, concludes to the establishment of only one Normal school for Protestants and Catholics without distinction. As I have just proved it, this assertion is contrary to the views expressed in the Board, when it adopted the resolution bearing on the demand of the sum of $5,000 which the Federal Government refused.

Under the false pretence that at least two members of the Catholic section of the Board of Education, have, in January 1888,

given their assent pure and simple to the future establishment of only one Normal school, we are invited to remain quiet, to accept the new Ordinance, to be satisfied with protestant Normal Schools, even for the Sisters, who would have to leave their convents to go and mix with the teachers or candidates of both sexes, of all denominations, of every age, on the benches at Regina or elsewhere, and to receive from the lips of a Grand Masterof Free Masonry the pedagogical teaching, free from all tinge of Catholicism, but possibly saturated with materialism and with all the errors which the Catholic Church rejects and condemns.

3.—" The petitioners further complain that the Council of " Public Instruction has promulgated certain regulations of which " one effect is that, save in exceptional cases, no one can become a " certificated professional teacher entitled to conduct a public or " separate school without attendance at a Normal school."

" To ascertain the nature of this objection it is well to examine " the cases which are there said to be exceptional. It is provided by " the regulations of the Council of Public Instruction governing " Teachers Certificates, 1894 (at page 8 under the heading: persons " eligible without examinations) as follows:

5.—" Persons holding certificates of Educational value from " Institutions (other than those mentioned in clause 1, 2, 3, 4) may " receive such certificates as the Council of Public Instruction may " deem them entitled to."

Clause five would appear to have been especially framed to meet the views of these persons mentioned by the petitioners who " would " be unable to comply with the regulations enjoining attendance at " the Normal school."

Since the members of the Committee of the Privy Council have thought that the clause five, above mentioned, is intended to remedy the complaint of the petitioners, I regret to be obliged to cause them a deception. It may be that this clause will be willingly applied by the Council of Public Instruction in favor of Protestant Candidates, but surely it will not be so for the Catholics. Here is my proof:

In 1891, one of our teaching Sisters, superioress of one of our Convents in Alberta, had a non professional certificate grade A. This certificate was to become professional after two years teaching in the Country by being endorsed by the Inspector. Issued on the 1st of September, 1891, the said certificate was regularly endorsed by the Inspector in 1892. The following year, after the passing of the Ordinance No 22 A. D. 1892, they pretended that the Inspectors had no longer the right to endorse the non professional certificates. and in the month of August 1893, Mr. J. Brown, the secretary of the Council of Public Instruction, gave official notice to the Rev.

Sister, that her non professional certificate would expire on the 1st September next, but by a special favor (!) they extended the term of expiration of said certificate to the 1st of October, time of the opening of the Normal school session at Regina, where she would have to go; the attendance at the Normal school being for her the only means of obtaining a professional certificate... I then went myself to Regina where I had a long interview with Mr. Goggin, superintendent of Education. The reverend Mr. Caron and Mr. A. Forget were with me. I exposed first the impossibility for the Sisters to leave their convent to attend those Normal school sessions; I declared that it would force them to act directly against the rules and constitutions which govern their order; that to make such regulation for them was equivalent to willingly and positively exclude them from teaching in the Territories. Mr. Goggin discovered to me the bottom of his thought in asking me why we did not hire lay teachers instead of nuns who, by their state of life, cannot comply with the regulations of the Council of Public Instruction. I then appealed to this clause five to which we are referred by the Report of the Committee, as to an infallible remedy to such complaints. I showed him that the life of our teaching Sisters is a perpetual Normal school. The Reverend Sister here mentioned had taught in England and elsewhere with the greatest success, during nearly 30 years. It was of no avail. The institution mentioned in clause 5, I was given to understand, are not religious institutions, orders, convents; even if their members were to devote their whole life to teaching, but institutions, approved and recognized either by the State or by Council of Public Instruction.

The professional certificate was refused to the Sister, in the face of Clause 5. They consented to give it to her only when it was proved that she had a strict right to it, by virtue of the law and regulations, existing before the Ordinance of which we complain.

4.—This Clause 5, I have also invoked it myself to obtain a provisory certificate, that is a permit, for a Sister newly arrived from Europe, to teach until the time appointed for the next examinations of the theachers. And I was refused. Mr. Goggin told me that he could not recommend a certificate, even provisory, on the only fact that the person asking for it had belonged for years to a religious teaching order. I was obliged to swear that, to the best of my knowledge, she was competent to teach and that she had taught with success for several years.

Therefore let the Committee of the Privy Council be well convinced of the inefficacy of the remedy that they indicate. It is a cunning trick that may deceive, but which does not stand before the above explanations and proofs.

5 .... " The petitioners have not specified any text book now

" prescribed for the examinations of teachers, which is objectiona-
" ble to Roman Catholics, and as, with the exception above noted,
" the books now prescribed are practically the same as those in use
" and prescribed by regulations prior to the passing of the Ordi-
" nance of 1892, and as such regulations were concurred in by both
" sections of the board, the Committee cannot see that the complaint
" of the petitioners in this respect, is well founded. It is to be noted
" that the petitioners do not complain of the abolition of any text
" book, but only of the imposition of a uniform course of instruc-
" tion and a uniform selection of the text books, a state of affairs,
" so far as teachers examinations are concerned, that appears to
" have existed under the old regime, and to which no objection
" seems to have been made by Roman Catholics, but which, on the
" contrary, was approved of by their representatives on the Board
" of Education "

Under the Ordinance of 1888, in September 1891, the old Board of Education, the two sections being together adopted an *almost uniform* selection of text books for the examinations of Candidates. I say *almost uniform*, because the Readers and the subjects of literature were excepted, the two sections being divided on these points. In my letter to the secretary of the Board I had myself provoked this agreement between the two sections, let it be well noted, without binding ourselves to each other. The sections preserved always the strict right to change their books, whenever they would think it useful for their respective schools. This right, we could not alienate, we never did alienate it. It is taken from us by the Ordinance of 1892 ; it is a crying injustice, of which we complain. Under the old regime we could use this right, as we thought fit and useful to the Catholics ; we could agree or desagree with the protestant section for the choice of books, as we thought proper. To-day we have to submit to the unjust law of the strongest. The Council of Public Instruction has the right to prescribe any book they like for the examinations of Candidates.

I need not stop to examine the merit or demerit of such a book or author, for the simple reason that they may be changed at will by the Council of Public Instruction and replaced by authors most hostile to our convictions ; we have no voice in the matter ; and we are told by the Committee of the Privy Council that our complaint is not founded.

In our schools they tolerate to-day our catholic Readers for the little children only, but they have the right to take them from us to-morrow as they have already done for all the children above the second Reader. And we are told : Nothing is changed ; you have no longer the choice of your books, you must accept ours ; why do you complain ?

6.—" The Petitioners further state that the effect of the said " Ordinance especially by means of the said regulations passed in " pursuance thereof is to deprive the Catholic Schools of that " character which differentiates them from Public or Protestant " Schools and to leave them Catholic Separate Schools in name only, " and such, it is submitted, is its obviously necessary effect:

" The Committee observes that sect. 32 of the Ordinance No. 22 " of 1892 provides :

" The minority.... may establish Separate Schools.

" Sect. 36. " After the establishment of a separate school " district under the provisions of this Ordinance such separate " school district shall possess and exercise all rights, powers, privi- " leges, and be subject to the same liabilities and method of govern- " ment, as is herein provided in respect of Public Schools. "

Because the minority may yet, by the Ordinance No. 22 of 1892, establish separate schools catholic or protestant as the case may be, does it follow that the effect of the said Ordinance and of the regulations passed by the council of Public Instruction is not to deprive the Catholic Schools of all that differentiates them from the protestant Public Schools, and to make them Catholic Schools in name only ? Let us see :

The Catholics, formerly represented by the members of the Catholic section of the Board of Education, were convinced that their interests were safeguarded ; for it belonged, according to law, to the said section :

(1) To have under its control and administration, all its Schools, and to make from time to time any regulation it would think proper for their general government and discipline.

(2) To prescribe and to select uniform series of text books.

(3) To appoint its Inspectors.

(4) To cancel teachers' certificates for sufficient cause.

(5) Religious instruction (limited in Public schools) was not limited in separate schools.

(6) To choose text books for History, Science and such other branches that it would judge fit. v. g. religious instruction for candidates, examinations, and to have exclusive jurisdiction in these matters.

(7) To appoint half of the examiners.

To-day no more catholic section ; not one Catholic has a right to vote in the Council of Public Instruction ;

No more control nor administration of our schools ;

No more right to choose our books : they may impose on us any book they like. Our schools, 75 per cent, are inspected by Protestant Inspectors. We have no more control either to appoint or to control these Inspectors.

We have no power whatever on our teachers' certificates. They have to pass by the one Normal School which will be what the Council of Public Instruction will make it and which may be hostile to every Catholic idea.

They have taken from us the right to choose our books on History and science for candidates' examinations.

No more jurisdiction for the correction of examination papers in these matters, a jurisdiction that was reserved to us under the Ordinance of 1888.

No more right to appoint our examiners.

No more religious instruction; not even the right to open school by prayers. What is then left to us? if not schools catholic in name only, nothing else. We are permitted to have separate or catholic schools, but on condition that they are made in every respect like to the public or protestant schools, that is, that our teachers receive the same training, be under the same inspectors, use the same books and methods, give up all religious instruction, etc., etc.

At Regina in the Council of Public Instruction two opinions are entertained. The leaders would like to take the "Bull by the horns" and get rid at once of the Catholic separate schools, while his first employee the grand Master of Free Masonry, wishing also to destroy anything that is Catholic in our schools, advises to proceed more quietly. In his opinion, the same end must be obtained, that is, to have only non Catholic schools, but it must be obtained by deceit and cunning. Take a step to-day and let the Catholic get used to it; then a third one and so on until the complete abolition of the separate schools.

This is our actual position. Were we not fully justified to ask for the disallowance of an Ordinance which opens the gate to so disloyal a war against our schools?

7.—"It would appear from the facts above set forth that the "disallowance of the Ordinance in question would not meet the "complaints alleged in the petitions otherwise than by restoring the "Board of Education which had control of the schools of the Terri- "tories before the Ordinance of 1892 was passed; because in other "respects the law and regulations concerning education in the Terri- "tories were not materially different before the Ordinance of 1892 "was passed from what they now are in so far as the points men- "tioned in the petition are concerned. Disallowance would not "nullify any of the regulations complained of."

I humbly beg pardon to the Honorable Committee, but I cannot help seeing the best accentuated sophism in the above quotation. Why? the disallowance of the Ordinance would not remedy our complaints and our just grievances?—If this Ordinance had been disallowed, all the rights, of which I was speaking just now,

were restored; control and administration of our schools; choice of our books; right to appoint our Inspectors and examiners; religious instruction in the separate schools; Normal Schools optional and not compulsory, and, if declared compulsory, to be catholic for our candidates. And the disallowance would have remedied nothing, but restablishing the old Board of Education: The disallowance, we are boldly told, would have nullifyed none of the regulations of which we complain, If the law had been disallowed, had not the members of the Catholic section authority to amend the said regulations? Did not most of these regulations fall themselves by going back to the Ordinance of 1888? Truly, how many specious insinuations and affirmations in the above of the Committee's Report:

In order not to disallow the Ordinance, they give the false pretext that the disallowance would be useless. They thus mock the petitioners; they sacrifice the minority to the desire of pleasing the majority of which they are more afraid.

That Ordinance No. 22 1892, "*vrai ballon d'essai* (says the Manitoba journal) the success of which was to determine the fate of the minority, might have burst at Ottawa if the Federal Government had willed it; but it has refused its protection to the weak. Is it then decided in Ottawa that it will tolerate the violation of the rights, natural and acquired, of those who are not numerous enough nor audacious enough to constitute a dangerous element?

8.—"The Committee of the Privy Council regret that the "change made in the Ordinance relating to education should have "been such as to cause, even unwillingly, dissatisfaction and alarm "on the part of the Petitioners and they advise that communication "be made to the Lieutenant Governor of the North-West Territories, "urgently requesting that the complaints set forth by the Petitioners be carefully enquired into, and the whole subject be reviewed by the Executive Committee and the North-West Assembly, in order that redress be given by such amending Ordinances "or amending regulations as may be found necessary to meet any "grievances or any well founded apprehensions which may be "ascertained to exist."

At last, behold the immense consolation that is given to the Catholics of the North-West. The Committee of the Privy Council has the greatest sympathy for us. It extremely regrets that the Ordinance of 1892 has been the *involuntary* (?) cause of dissatisfaction and alarms. The Ordinance is maintained. With it and under the cover of legality, they will be able to increase, to multiply the difficulties and obstacles to hinder our Catholic schools to work; they will impose on us new regulations more tyrannical, more impracticable than ever; the good will of the past of the members of

the Council of Public Instruction and of the Legislature is a proof, at least probable, of their future good will.

The Committee of the Privy Council commends us to the mercy, to the generosity of the avowed enemies of our religious institutions, of our schools, of our convents. They have shown their dispositions (?) and now they are requested to amend either the Ordinance or the regulations of the Council of Public Instruction in order to remedy our grievances and our alarms, if any.

Is this truly what we had a right to expect? Could such a decision satisfy the request of the Petitioners? Is it conform to justice? Is this a specimen of the boasted "British Fair Play?'

We are sacrificed to the breath of the deplorable fanaticism which blows over our Territories; Our rights are trampled upon Our Catholic schools existing by law, exist only in name.

It might have been otherwise; the Government at Ottawa has not willed it.

Accept, My Lord, the homage of my profound respect, of my heartfelt sympathy and of my devotedness.

H. LEDUC, O. M. I., Ptre.,
Vic. Gen.

APPENDIX B.

Church of Our Lady of the Holy Rosary.
Regina, Assa. 24th February, 1894.

To His Grace,
Monseigneur A. A. Taché.

My Lord,

In answer to your letter asking me if it be true, as affirmed by some, that, as a representative of the Catholics in the Council of Public Instruction, I have given my assent to the choice of Ontario Readers, as reading books in our Catholic schools in the North-West Territories, I am glad to say, My Lord, that such is not the case.

Besides, here is what took place in the *only* general assembly of the Council of Public Instruction held until this day, since its formation, in virtue of the Ordinance of 1892.

The Council, as you know, is composed of the members of the Executive Council of the Territories, all protestants and of four members named by the Lieutenant Governor in Council; two Protestants and two Catholics having the right to offer their advices, but without the right to support such advices by their vote. Mr. Forget of Regina, and myself represent the Catholics. Our nomination dates from the 8th June last and, on the very next day, we were called for the first meeting. During the absence of Mr. Forget, who, at that time, was in Paris for his health, I was alone to represent the interests of our schools in a council composed of six protestant members, assisted by Mr. James Brown, then Superintendent of Education and by Professor Goggin, both also Protestants. The latter, admitted in the assembly, on the special request of the President of the Executive, was in reality the directing spirit. No motion was moved nor seconded, no resolution adopted. They satisfied themselves by discussing without taking any decision and, in as much as I am informed, no minutes have been kept of our deliberations. Such, at last, are the informations from Mr. James Brown, when they were asked for by Mr. Forget, in my presence.

In the course of that discussion, altogether *informal*, according to the expression of my English colleagues, M. Goggin, having expressed the idea that it would be desirable to render uniform, the use of books in the schools, I said, in a general way, that in fact, on account of our system of inspection, it would be very advantageous if all the school children could use the same books."

Should those books be the Catholic or the Protestant books? That question was not on the tapis, and consequently, I did not think that I should fully express my views, by saying that if the members of the Council wished for the uniformity of books for the good management and for the efficacious inspection of the schools, they could adopt our series of Catholic books.

Later on, in the course of my remarks, M. Goggin, it seemed to me, wished to insinuate that Catholic books could be left aside and replaced by the Ontario Readers, and then I said that "the younger the children who attend the schools, the more do we urge that the books put in their hands should be perfectly Catholic."

And, on account of the *special* composition of the Council of Public Instruction, and knowledge that, by the Ordinance of 1892, that Council has absolute power to impose upon us books of its own choice, I thought proper to add that "if we were obliged to put aside the Catholic reading books, we would more willingly abandon the books used for the scholars of the 4th degree than to abandon the books used for younger scholars."

Such is, Your Grace, and textually, the only remarks made by me concerning the choice of books, in that Assembly of the Council of Public Instruction and I leave you to judge if they are of a nature to be interpreted as an acknowledgement for replacing our Catholic books by protestant ones.

That meeting of the Council took place in the month of June, and it was only in the month of September that I learned, by questions addressed to me from Prince Albert, that the Catholic books had been erased from the list of books approved for the pupils of the third and fourth degrees, and that such Catholic books had been replaced by Ontario Readers. A few days later, I learned that in certain quarters, it was repeated that I had given my approval to such a change.

During the same month, Mr. A. E. Forget, my colleague in the Council of Public Instruction, Mr. A. Prince, M.L.A. fort St. Albert, C. E. Boucher, M.L.A. for Batoche and myself had an official interview with the members of the Executive Council; I availed myself of the circumstances to explain once more the idea I had expressed before the members of the Council of Public Instruction, concerning some books used in Catholic schools; refusing thereby to accept any responsibility in that part of the new regulations and asking, as well as the other members of the deputation, that Council should restore to the Catholics their right to use Catholic books in their schools.

Should not the members of the Executive Committee have understood the meaning of my words, at the assembly of the Council of Public Instruction, they have not been able to misunderstand my protest on the day of the above interview.

Nevertheless, notwithstanding such protest, Mr. Haultain affirms, in a public document, that I have given my assent to such tyrannical regulations.

What can one think of such an affirmation?

Accept, My Lord, the expression of profound respect of

Yours very humbly,

J. CARON, priest.

APPENDIX C.

Calgary, 26th February 1894.

To His Grace, A. Taché,

Archbishop of St. Boniface.

My Lord,

I answer your enquiries about the abolition of the French Language by the Ordinance of 1892, both for the examinations and the schools.

If our petitions did not speak of this violation, it is because we left to the solicitude of Your Grace to claim our right on this respect; it is what you have done in an energetic petition, that has been ignored at Ottawa.

The Ordinance of 1892 has abolished the French Language:

I.—For the examination.

Before 1892, the candidates could pass their examinations in French. The examination papers were translated in this language, and twice I have been charged myself with this translation.

On Thursday last, the 22nd. Instant I was at Regina. In order not to assert anything but perfectly certain, I went to see Mr. James Brown, the secretary of the Council of Public Instruction and I put to him officially the following questions.

Q.—Under the Ordinance of 1888, could the candidates pass their examinations in French?

A.—Yes.

Q.—Were the examination papers translated in French?

A.—You know it well, you have translated them yourself.

Q.—Under the Ordinance of 1892, by which we are governed to-day, can the candidates still pass their examinations in French?

A.—I do not see that they can do it.

Q.—If the candidates did write their examinations in French, would these examinations be recognized in the Council of Public Instructien?

A.—No.

Therefore it is evident that the French Language is abolished for the examinations.

II.—For the Schools.

The French Language is also practically abolished in the schools. By the regulations of the Council of Public Instruction, in conformity with the Ordinance of 1892, the teaching must be given in English, exclusively in English, to the children above the 2nd Reader. Thus arrived at this insignificant degree of learning, all the French Canadian children must be taught exclusively in English. They permit the use of the two first Ontario bi-lingual Readers to the youngest children, but even then the consent in writing of an Inspector, most of the time English and anti-French, must be obtained. Such is the amount of French teaching that is permitted, or tolerated. It would be more true and more simple to say at once that the French is banished from the schools.

Last year our schools in Edmonton and St. Albert, have been inspected by a gentleman, who is English and protestant, Mr. Hewgill of Moosomin. He questioned the pupils in English, having very little attention to the French. He gave instructions to the teachers to give the greatest possible attention to the teaching of the English language. As to the French : *Abeat quo libuerit.*

In short, the Ordinance of 1892 takes from the French population of the North-West Territories the right, recognized by the Ordinance of 1888, of using the French language for the examination and in the schools, and of giving a French as well as an English education to its children.

No more French schools, no more Catholic schools, or rather schools Catholic and French in name only ; but in reality English and non-Catholic ; this is the plain truth, no matter what Mr. Haultain, and after him, the report of the Committee of the Privy Council may say to the contrary. It is the conclusion that will be drawn by all the friends of justice who will carefully study the facts without any prejudice of political party, of race or of religion.

I now conclude by relating a fact which will show that our apprehensions are not vain and without foundation. In July 1891, one of our Catholic candidates for the teachers' examinations had passed with success on all the branches required by the Board of Education, and was to receive a certificate degree A. Unfortunately the said candidate had failed on arithmetic, having obtained only 18 points out of 100, when at least 50 were required.

I knew perfectly the candidate and I could not believe in such a radical and humiliating failure. As I was a member of the board of education, I asked and obtained to have the papers on arithmetic re-examined by the Reverend Mr. Gillis, Catholic inspector and the Reverend Mr. McLean, methodist minister, inspector for the protestant section. The result was that the candidate in question got

over 50 points, and was awarded a diploma degree A, thanks to my claiming justice.

As I know perfectly that the majority of the Legislative Assembly and of the Council of Public Instruction with a few exceptions entertain dispositions that are hostile to our schools and especially to our convents, I do not understand how the report of the Committee of the Privy Council can say that our apprehensions and alarms have no foundation whatever.

The disallowance was the only true remedy to the underhand unarrowed but real persecution that we undergo—Ottawa has refused it. The evil done by the Ordinance of 1892, and the injustice that it sanctions, are tolerated by the Federal Government. However, we will continue to fight unceasingly and with a renewed courage for our rights and for our schools which we have the duty and the mission to protect and defend.

Accept, My Lord, etc.,

H. LEDUC, O. M. I., V. G.

APPENDIX D.

(Translated from the French.)

Regina, 1st March, 1894.

To His Grace,

Monseigneur Taché,

Archbishop of St-Boniface.

My Lord,

In accordance with Your Grace's desire, Rev. Father Leduc has handed to me a copy of a letter which he addressed to you regarding our school question in the Territories. The facts which he relates and with which my name is associated, are all fresh in my memory, and as they are in accordance with my own remembrances I can without the least hesitation, corroborate them by my own testimony.

As to the commentaries which accompany them, especially in

as much as they relate to the motive by which the members of the Privy Council may have been animated in their refusal of disallowing the School Ordinance of 1892, my position as an employee of the Government imposes upon me a reserve from which you would not I am certain wish me, My Lord, to depart. But as I would not wish either that my silence in that respect would be falsely interpreted, I wish to express the opinion that the painful position made to us by the decision of the Privy Council can only be explained by supposing that the good faith of the Ministers must have been surprised.

It seems, in fact, impossible to imagine that the Catholic members of the Privy Council, would have so coldly sacrificed our dearest interests, if they had exact and complete informations on the question.

I will say further, I am willing to believe that Mr. Haultain and his colleagues are in good faith in the conclusions which they draw from the resolutions of the Board of Education cited by them. These Gentlemen not having been members of the old Board of Education, could not have known its deliberations but by the minutes thereof. Now there is nothing in those minutes to indicate to those who may to-day read them, especially if they do not belong to our faith, that the Catholic members of this Board did not intend to give to these resolutions the meaning attributed to them. It seems, however that, for Catholics, the name of the Rev. Father Leduc, if not those of his colleagues in the Board of Education should have been a sufficient guarantee that we should not have given an effective support to those resolutions unless circumstances guaranteed our rights.

2.—This being said, Mr. Haultain and his colleagues of the Executive Council of the Territories will pardon me if I do not receive without an incredulous smile the assurance given by them and accepted perhaps too easily by the Privy Council, that the legislation and school regulations of which we complain, have not been inspired by any sentiment hostile to our schools. They and the other members of the Legislative Assembly, who voted the Ordinance of 1892, knew plainly what they were doing. I do not ignore that each one individually has protested that he did not wish to injure the privileges and rights of the Catholic minority. In spite of all these protestations, this Ordinance, in the dispositions which concern us, had and could not have had but one object : that is, the abolition of all distinct character of our schools.

Thanks to that Ordinance and to the regulations of the Council of Public Instruction which followed, this end has to-day been practically attained. Nothing essential now distinguishes the Catholic schools from the Protestant schools but the *designation now ironical* of separate schools.

We should not think, however, that the immediate authors of the Ordinance of 1892 and of the regulations which complete it, are alone responsible for them. In the eyes of those who have pressed them, it would be, indeed, giving them too much honor; others, who had tried before them have also a right to their share of the laurels. It would be curious enough to make a faithful and complete history of the slow and underhand work of these people, bent to the destruction of our schools, and many candid souls would surely be more than astonished, if we gave to each one his share of responsibility.

But what is the use? Besides this history would carry us too far, and would oblige me to go beyong the limits of a communication of this kind. I will therefore, My Lord, confine myself to give you a short, a very short historical sketch of our school laws since the date of the Organization of the Territories.

In memoriam rei, I will first mention that the constitutional act of the Territories guarantees to any minority the free establishments of separate schools wherever required; and the power, conferred on the territorial legislature to legislate in matter of education, is subject to this right. Therefore all ordinances ignoring this right could for this reason be nullified by the court in case that the Federal Government would refuse to disallow it. But the disallowance is the only recourse that we can claim in the case of Ordinances which, as the one of 1892, conforming itself strictly to the letter of the law, however disregards its spirit, so as to render entirely illusory this wise constitutional disposition.

Before being so cavalierly trodden upon by the Legislature of the Territories, let us see what interpretation this Legislature, composed in part of the same persons, has given to this clause of our constitution.

3.--The first bill in matters of education was presented in 1883 by Mr. Oliver, representing the district of Edmonton in the Council of the North-West Territories. This Gentleman is still the representative of the same district in the Legislative Assembly. This bill, which gave at the time great honor to its author by the originality of its conception, after a first and second reading, was printed and distributed to the public. This same bill, slightly modified, was again submitted by its author to the consideration of the Council of the North-West. The following day the Hon. Judge Rouleau, presenting another one on the same subject. The special Committee, composed of the Messrs. Rouleau, MacDowall, Turriff, Ross and Oliver, to which these two bills were refered, made their report a few days later by presenting a third bill, the result of the fusion of the two first ones. This last bill, after having passed the ordinary formalities, became soon the Ordinance known under the title of the School Ordinance of 1884.

In order to understand well all the importance that the interpretation given by the Ordinance of 1884 to the clause of the constitution relating to schools bears in itself in favor of the Catholics, I will mention that this Ordinance in its final form was unanimously adopted by the North-West Council then composed of 13 Protestants and two Catholics. If all did not remain to the same degree faithful to that spirit of justice and liberality which distinguishes this first school legislation, all at least deserve our profound gratitude for the authorized interpretation given by them to the clause relating to schools, of the North-West Territories Act; and I cannot better express it to them than in giving here the list of their names; they were: the Honorable Edgar Dewdney, Lieutenant Governor, the Hon. Judges Richardson, McLeod and Rouleau, Lt.-Col. Irvine and Messrs. Breland, Reed, Oliver, MacDowall, Hamilton, Jackson, White, Ross, Turriff and Gebbes. The eight at the end of this list were all representatives elected by the people.

Let us now consider what that Ordinance contained: first it provided to the nomination of a board of education, composed of twelve members, six of which were Protestants and six Catholics, divided into two distinct sections.

These two sections, sitting together had but general powers; but these sections, sitting separately, had very extensive powers.

Let us open the Ordinance at the clause 5 and this is what we find in it: It will be the duty of each section:

(1).—" To have under its control and direction the schools of " its section, and to pass, from time to time, the regulations that it " will think fit for their general government and discipline, and for " the execution of the dispositions of the present Ordinance.

(2).—" To provide for the examination and the classification of " its teachers, and to adopt measures to recognize certificates obtained " elsewhere, and to cancel all certificates for good reasons.

(3).—" To choose all the books, maps and spheres that will be " used in the schools under its control, and to approve the plans for " school buildings: provided always that, when the books relate to " religion and moral, the choice made by the Catholic section of the " Commission be subject to the approbation of the competent " religious authority.

(4).—" To appoint inspectors who will remain in charge at the " the will of the commission by which they have been appointed."

By the clause of the same Ordinance, the Board, and one or the other of the sections had the right to hold meetings, in any convenient place in the Territories.

The 25th clause, to which I specially call attention, reads as follows:

" (25).—In conformity with the dispositions of the 10th article

" of the North West Territories Act of 1880, relating to the esta-
" blishment of separate schools, any number of rate payers domi-
" ciled in the limits of any public school section or in two sections,
" or more, adjoining public schools, or some of them living in the
" limits of an organized school district, and others on adjoining lands
" not included in said districts, can be erected in separate school
" district by proclamation of the Lieutenant Governor with the
" same rights, powers, privileges, obligations, and mode of Govern-
" ment as precedingly stipulated in the case of public school
" district."

And in clause 131, it was decreed as follows: "In no case " would a Catholic be obliged to pay taxes for a protestant school " neither would a Protestant to a Catholic school."

In short therefore, that Ordinance not only recognized the rights of Catholics to establish separate schools, but sanctioned also the principle now ignored, that to them alone belong the exclusive right to govern them.

Unfortunately, owing to financial reasons foreign however to the dispositions just mentioned, this Ordinance remained a dead letter.

4.—The following year, it was amended and revised, and then we had the school Ordinance of 1885. This last Ordinance reduced to five the number of the members of the Board of Education, two Protestant and two Catholics, under the presidency of the Lieutenant Governor.

So the sections were left to the general administration of their respective schools, but some of their powers were transfered to the Board of Education; such as the nomination of Inspectors, and examiners, the regulations of the examinations and the teachers, classification. Owing to the particular composition of the Board of Education, these changes offered no immediate danger, although they indicated a new and hostile tendency.

The 25th clause of the Ordinance of 1884 remained intact, as well as the part above mentioned of clause 131. The financial obstacle which had impeded the working of the Ordinance of 1884, having been removed, the Ordinance of 1885 was put in operation immediately after the date of its adoption, in the month of December 1885, Messrs Secord and Marshallsay, and the Hon. Judge Rouleau, and the Rev. Father Lacombe were nominated as members respectively of the Protestant and Catholic sections of the Board of Education.

For some time, the schools then in existence continued to receive the allowance granted them by the Lieutenant Governor on the subsidies voted annually by the Federal Parliament, for the administration of the Territories; and that by virtue of an order in

Council dated Nov. 4th 1880, on the recommendation of Hon. David Laird, Lieutenant Governor of the Territories.

The conditions of this allowance were then made public by a circular of the Secretary of the Lieutenant Governor. This circular is not without importance for us, in as much as it marks the first steps taken by the civil authority, since the organization of the Territories, for the support of the schools, and when considering its perfect spirit of impartiality.

Believing therefore that it might be of some service to Your Grace, I will here transcribe a copy thereof, made on the only copy which remains in the Archives of the Government. Here it is:

GOVERNMENT AID TO SCHOOLS.

His Excellency the Governor-General in Council having by order, dated 4th November, 1880, agreed to grant aid to schools in the North-West Territories, by paying one half of the salary of the teacher of any school in which the minimum daily attendance is not less than fifteen pupils, I am directed by the Lieutenant-Governor to intimate that His Honor will, until further notice, from and after January 1st, 1881, be prepared to pay quarterly or half yearly, one half the salary of any teacher in the Territories, on the following conditions:

1st.—That a quarterly register of the school be forwarded to this office, showing the names, age and studies of the children taught, not being Indians whose education is otherwise aided by the Dominion Government, and that the average daily attendance is not less than fifteen pupils.

2nd.—That on some part of the register there be written a certificate signed by the teacher and two of the parents whose children are attending said school, declaring that to the best of their knowledge, they believe the register to contain a true statement of the attendance at the school.

3rd.—That accompanying the register there be forwarded to this office a certified copy or statement of the agreement with the teacher, showing by whom he or she was engaged, and the amount agreed to be paid as solely for services as teacher.

A. E. FORGET,
Secretary to the Lieutenant-Governor.

Lieutenant-Governor's Office.

Battleford, 14th December, 1880.

P. S.—Blank Registers can be had on application to the above office.

A. E. F.

5.—I now return to the History of the Legislation.

In 1886, the law became again what it was in 1884, as to the choice of the Inspectors and the teachers examination, but it limited the establishment of separate school districts making them possible only in the limits of public districts previously established by the majority. This limitation, which still exists, is fatal to the interests of the minority, and constitutes, in my opinion, a violation of the spirit of the Constitutional Act. It frequently happens that the Catholics, residing in the limits of a public school district, are not numerous enough to form alone a separate district, but that end could be attained, if they could, as before in virtue of the Ordinances of 1884 and 1885, join their fellow-Catholics residing immediately outside of these limits.

6.—In 1887, the school laws were again amended and revised. This time a great effort was made to give us a legislation, on the model of the one imposed later on in 1892. The blow was very difficult to ward off, the more so because it was unexpected and came from high.

There would be also much to say on the fight that the Hon. Judge Rouleau had to outstand, in the Council of the North-West Territories for the maintenance of our rights; but as it ended by a compromise, I will merely mention in what the Ordinance of 1887 differed from the preceeding ones.

The principle of equal representation, which had until then prevailed in the constitution of the Board of Education was abandoned. The number of the members was raised to eight, five Protestants and three Catholics. The section preserved the administration of their respective schools; the right to choose the books; to appoint their inspectors, and to cancel for cause any teacher's certificate; but all the other powers were henceforth to be exercised by the whole Board. In compensation it was decreed, in clause 41 of the Ordinance, that after the establishment of a separate school district, any property belonging to rate payers of the religious belief of such district, would be subject only to taxes imposed by that district. This new disposition was favorable to us, and in perfect conformity with the spirit of the constitutional clause. As to the rest, the position remained about the same.

In 1888, new revision, but without any important change. The same for the amendments in 1889 and 1890. In 1891-92 the sections were deprived of the right to appoint their school inspectors, the said right being now placed in the hands of the Lieutenant Governor in Council.

7.—We now come to the session of 1892, venom long accumulated was thrown loose by one of the new members in the legislative assembly who was not bound by the compromise of 1887. Inspiring

himself of the recent example of the Province of Manitoba, every thing was again discussed. But this time in spite of the efforts of Messrs. Prince and Boucher, the only Catholic representatives in the Legislative Assembly; in spite of the generous protestations of Messrs. Clinkskill, Cayley, Betts, MacKay, Meyers and Mitchell, offended by the proposed legislation, the majority directed by Mr. Haultain, imposed on us, without mercy, the now famous Ordinance of 1892.

In placing before your Grace the names of the Protestant members of the Legislative Assembly, who have a right to our gratitude, for the active part that they have taken in the defence of our rights, I must mention in a special manner, the noble and courageous conduct of Mr. Clinkskill during the preceding session. This Gentleman was then one of Mr. Haultain's colleagues on the executive Committee, and not satisfied with giving us the effective support of his word and of his votes. he even made the sacrifice of his seat, as a member of the executive Committee, when he saw the uselessness of his efforts to preserve to the Catholic section of the Board of Education the right, exercised until then, to appoint the inspectors for the schools under its jurisdiction.

Until the date of the Ordinance of 1892, we had never been denied the right to administer our schools, to regulate the programme of studies, to choose the text books, to control the religious instruction and to authorize the use of the French language wherever thought convenient. These rights were exercised by the Catholic section of the Board of Education, and strictly speaking were sufficient to preserve to our schools their distinctive character of Catholic schools.

Now all this has disappeared. The Board of Education no longer exists nor its sections. All the schools, public and separate, Catholic and Protestant, are placed, by the Ordinance of 1892, under the direct control of a Protestant superintendant of Education and of a Council of Public Instruction, composed of the members of the executive Committee, in which the Catholics have not one single representative.

8.—It is true that, by a clause of the Ordinance, it is provided to the nomination of four additional members on the Council of Public Instruction, two Protestants and two Catholics, but, being deprived of the right of supporting by their votes the opinions that they might express, and not being able to attend to council sittings unless invited by the executive committee, their usefulness is reduced to very little. Moreover the facts speak by themselves. Since the nomination of these supplementary members, they have been invited but to one sitting of the Council of Public Instruction, and however radical changes have been made in the administration of our schools,

in spite of the energetic protestations of Rev. Father Caron, and those of your humble servant, who have the honor to represent the Catholics in the Council of Public Instruction. I know that it has been asserted that Rev. Father Caron had given his assent during the only sitting just mentioned and to which he had to attend alone in his colleagues' absence. But Father Caron, in a letter addressed to Your Grace and which he has shown to me, overthrows that pretention. These gentlemen may have been sincere for a moment in believing that the Rev. Father Caron had consented to allow the Catholic Readers in use them in our schools to be replaced by protestant books; but, after the interview which we asked of them, and which they granted in September last, there could no longer exist any misunderstanding on that respect. As it was our duty, in concert with Messrs Prince and Boucher, who were present at that interview, we energetically protested against introducing protestant Readers in Catholic schools. The regulation passed to that effect becoming in force only for the purposes of the promotion examinations for the year 1894, it was still time to modify it in order to make it conformable to the Catholic sentiment. Instead of that a circular was sent a few days later rendering compulsory in Catholicschools the use of protestant Readers after the 1st of January 1894, and that in all the classes above the *2d. Standard* these gentlemen reserving to themselves to invoke this alleged misunderstanding with the Rev. Father Caron, as a justification of their conduct.

9.—As a practical result, we have then, at this time I address you these lines, Monseigneur, the strange spectacle of Catholic schools managed and inspected by Protestants, and in which the programme of studies is fixed and the text books are carefully selected, according to the advice of a Protestant superintendent of Education. Such is in a few words the intolerable condition to which the Catholic minority is reduced in the Territories by the Ordinance of 1892, and the regulations prescribed by the Council of Public Instruction, since the said Ordinance has become in force.

Had not then the Catholics a thousand times reason to ask its disallowance; and nobody could wonder at their deep disappointment on hearing that they have asked in vain.

10.—I am inclined to think that the recommendation of the Privy Council will find an echo in the minds of the members of the Council of Public Instruction and of the local Legislature, and that a generous effort will be made to calm the ever increasing dissatisfaction of the Catholic populations. Let Mr. Haultain recall to his mind his hesitations of the first hour and when the unfortunate ordinance was only at its second reading. Let him recognize to-day as he admitted then, the incompatibility between certain disposition

of this Ordinance and a spirit of the constitution which guarantees to the Catholics the right to separate schools. Here are some of his words in our favor; I find them in the account of the speech delivered on that occasion. Did he not declare then (Regina Leader) "that there were some points in the bill he could not agree to, and which he would mention. He could not agree to the clause making uniform text books compulsory, it was contrary to the constitution."

It is exactly what we say, and we have been extremely surprised to see him later, in his capacity as president of the Council of Public Instruction, giving his sanction to a regulation which, in his own opinion, is contrary to the constitution.

I bring now to a close these notes already too long begging Your Grace to accept the expression of my profound respect and the assurance of my entire devotedness in these painful circumstances.

A. E. FORGET.